

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

DARNEL ANTOINE,

Plaintiff,

v.

2:23-cv-887-JLB-NPM

ESPN ENTERPRISES, INC.,

Defendant.


ORDER

Before the court is defendant ESPN Enterprises, Inc.’s motion to compel arbitration and stay the case pending the resolution of this motion. ESPN argues that Darnel Antoine agreed to arbitrate his claims under the terms of a subscriber agreement—in a “sign-in” wrap agreement—consented to when Antoine registered for a Disney⁺ and ESPN⁺ subscription. Furthermore, ESPN asserts that this case falls within the scope of the arbitration agreement, ESPN did not waive its arbitration rights, the arbitration agreement is not unconscionable, and this case should be stayed. Antoine does not oppose ESPN’s motion or staying the case. (Doc. 22).

Accordingly, the unopposed motion to compel arbitration (Doc. 19) is **GRANTED**. The parties are directed to arbitrate this case promptly—in accordance with their agreements. All deadlines and motions are terminated in light of the stay, and the clerk is directed to add a stay flag to the docket. This case will remain

STAYED until the parties advise the court that (1) arbitration has been completed and (2) the stay should be lifted, or the case should be dismissed. The parties must notify the court of such matters **within seven (7) days** of the arbitration concluding. The parties are otherwise directed to file a joint report on the status of arbitration **on July 1, 2024**, and **quarterly thereafter** until arbitration concludes.

ORDERED on December 21, 2023.



NICHOLAS P. MIZELL
United States Magistrate Judge