

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

CC,)
)
Plaintiff,)
)
vs.)
)
HOME CENTERS, LLC,)
)
Defendant.)

CASE NO. [REDACTED]
DIVISION 11



ORDER DENYING DEFENDANT [REDACTED] HOME CENTERS, LLC'S MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION, OR IN THE ALTERNATIVE, TO COMPEL ARBITRATION AND STAY

On this 30th day of January, 2018, the Court considers Defendant [REDACTED] Home Centers, LLC's Motion to Dismiss for Lack of Subject Matter Jurisdiction, or in the Alternative, to Compel Arbitration and Stay, filed September 25, 2017. Being fully advised in the premises, the Court hereby DENIES Defendant [REDACTED] Home Centers, LLC's Motion to Dismiss for Lack of Subject Matter Jurisdiction, or in the Alternative, to Compel Arbitration and Stay.

Defendant argues that the Plaintiff is bound by the arbitration agreement contained in a purchase agreement and installation agreement signed by the Plaintiff's wife. Plaintiff himself, however, does not appear as a party to the contracts put forth by Defendants, and did not sign them. Therefore, the Court finds that Plaintiff's claims fall outside the scope of the arbitration provision contained in those documents. For this reason, Defendant [REDACTED] Home Centers,

LLC's Motion to Dismiss for Lack of Subject Matter Jurisdiction, or in the Alternative, to Compel Arbitration and Stay is hereby DENIED.

IT IS SO ORDERED.

1-30-18

Date


/ **GEORGE E. WOLF, Judge**

This is to certify that a copy of the foregoing was automatically forwarded to the attorneys of record through the Court's eFiling system on 30-Jan-2018

AS, Attorney for Plaintiff


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