

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

MARSHA A. KERR, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

ROCKET MORTGAGE, LLC

Defendant.

Case No. 4:26-cv-11028-FKB-CI

Hon. F. Kay Behm
U.S. District Judge

Hon. Curtis Ivy, Jr.
U.S. Magistrate Judge

**JOINT MOTION TO STAY
THESE PROCEEDINGS PENDING ARBITRATION**

Plaintiff Marsha Kerr and Defendant Rocket Mortgage, LLC respectfully request that the Court stay this litigation pending the completion of arbitration proceedings. In support, the parties state as follows:

1. Plaintiff filed this action on March 27, 2026.
2. Rocket Mortgage's response to the complaint is currently due June 1, 2026. In pre-filing meet and confer communications about that response, Rocket Mortgage advised Plaintiff's counsel that Rocket Mortgage intended to file a motion to compel arbitration of Plaintiff's claims based upon an agreement to arbitrate.
3. As a result of discussion between them about the arbitration agreement, the parties have agreed to resolve Plaintiff's claims through arbitration.

4. Under these circumstances, 9 U.S.C. § 3 provides that the district court shall stay the action “until [the] arbitration has been had in accordance with the terms of the agreement.”

5. Accordingly, the parties respectfully request that the Court stay all proceedings in this matter pending the completion of the arbitration proceedings.

6. Rocket Mortgage reserves the right to file a motion to dismiss this action in the future if the stay sought herein is not granted, or if the stay is granted and then subsequently lifted such that the case is no longer stayed.

Respectfully submitted,

/s/ Mohammed O. Badwan

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Counsel for Plaintiff

Respectfully submitted,

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**BRIEF IN SUPPORT OF JOINT MOTION TO STAY
THESE PROCEEDINGS PENDING ARBITRATION**

STATEMENT OF ISSUE PRESENTED

Whether the Court should enter an order staying this matter pending completion of arbitration proceedings where the parties have entered into an arbitration agreement that delegates questions of arbitrability to the arbitrator and the parties have agreed to resolve the claims asserted by Plaintiff through arbitration.

STATEMENT OF CONTROLLING AUTHORITY

9 U.S.C. § 3 (“If any suit or proceeding be brought in any of the courts of the United States upon any issue referable to arbitration under an agreement in writing for such arbitration, the court in which such suit is pending, upon being satisfied that the issue involved in such suit or proceeding is referable to arbitration under such an agreement, shall on application of one of the parties stay the trial of the action until such arbitration has been had in accordance with the terms of the agreement . . .”).

ARGUMENT

The parties respectfully and jointly request that the Court enter an order staying this matter pending completion of arbitration proceedings pursuant to 9 U.S.C. § 3 for the reasons stated in the Motion.

Respectfully submitted,

/s/ Mohammed O. Badwan

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