IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

JOHN P. VARNER,
 	
               Plaintiff,
 	
   vs.
 	
SUNRUN INSTALLATION SERVICES, INC.,
 	
               Defendant.
	CIVIL NO. 18-cv-00328-JAO-KJM
	
	ORDER GRANTING DEFENDANT'S MOTION TO COMPEL ARBITRATION AND DISMISS THE COMPLAINT

**ORDER GRANTING MOTION TO COMPEL ARBITRATION AND
DISMISS COMPLAINT**

Plaintiff John Varner brought a single employment discrimination claim

against Defendant Sunrun Installation Services, Inc. He alleges under the

Americans with Disabilities Act that Sunrun discriminated against him on account

of his disability. Doc. No. 1. Sunrun filed a motion to compel arbitration and

dismiss the complaint based on the parties' arbitration agreement that all

employment-related claims, including those under the Americans with Disabilities

Act, must be resolved by binding arbitration. Doc. No. 9-1. Varner filed a

statement of no opposition to the motion.[1] Doc. No. 17; *see* LR 7.4 ("A party not

opposing a motion shall instead file a statement of no opposition or no

position[.]").

The Court finds this matter appropriate for resolution without oral argument

pursuant to Civil Local Rule 7.2(d), and therefore VACATES the hearing on this

matter currently set for March 15, 2019 at 11:00 a.m. Because Varner does not

oppose Sunrun's motion to compel arbitration and dismiss the complaint, the Court

GRANTS Sunrun's motion to compel arbitration and DISMISSES the complaint

without prejudice.

IT IS SO ORDERED.

DATED: Honolulu, Hawai'i, March 6, 2019.

Jill A. Otake
United States District Judge

Civil No. 18-00328-JAO-KJM, *Varner v. Sunrun Installation Services, Inc.*;
ORDER GRANTING MOTION TO COMPEL ARBITRATION AND DISMISS

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[1] Plaintiff erroneously relied on Federal Rules of Civil Procedure 7(b) and 12(c) in
his statement of no opposition. Those rules address forms of motions and motions
for judgment on the pleadings. The Court construes Plaintiff's statement of no
opposition as made pursuant to Civil Local Rule 7.4.