

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JEFFERY M. MYRICKS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 5:16-CV-169 (MTT)
)	
AT&T SERVICES INC., et al.,)	
)	
Defendants.)	
)	

ORDER

Defendant AT&T Services Inc. (AT&T) has filed a motion to stay litigation and compel arbitration of Myricks’s claims against it in this action. Doc. 12. Though Myricks and AT&T stipulated, pursuant to Local Rule 6.2, to extend Myricks’s deadline to file a response to November 18, 2016 (Doc. 14), no response has been filed.

In his Complaint, Myricks alleges that Southwest Credit Systems, LP, on behalf of AT&T, used a robo-caller to call his personal cell phone in an attempt to collect a debt after he requested AT&T and Southwest Credit Systems, LP to cease making calls and requested that the debt be marked as disputed. Doc. 1 ¶¶ 1, 2, 25, 34, 35.

The debt at issue is an unpaid balance of \$1,148.96 associated with wireless service for two lines ending in 9327 and 8771, and is governed by “Wireless Customer Agreement # FMSTCT11139321E and its arbitration clause.” Doc. 12-2 at 3, 28; Doc. 12-3 at 1. As part of obtaining these lines of service, Myricks and AT&T Mobility, LLC agreed “to arbitrate all disputes and claims between us[,]” including, “but . . . not limited to:” “[c]laims arising out of or relating to any aspect of the relationship between us, whether based in contract, tort, statute, fraud, misrepresentation or any other legal

theory,” as well as “[c]laims that may arise after the termination of this Agreement.”

Doc. 12-3 at 12. “References to ‘AT&T[]’ . . . include . . . subsidiaries, affiliates, agents, [and] employees[.]” *Id.* AT&T’s motion asserts, without contravention, that AT&T Services, Inc. is an affiliate of AT&T Mobility, Inc. Doc. 12-1 at 2, 12.

The Court finds that Myricks agreed to arbitrate the claims it is asserting against AT&T in this action. Accordingly, AT&T’s motion (Doc. 12) is **GRANTED**. The Court hereby **ORDERS Myricks TO ARBITRATE** his claims against AT&T in this action according to the terms above-referenced agreement and **STAYS** litigation of Myricks claims in this action against AT&T pending the outcome of arbitration.

SO ORDERED, this 14th day of December, 2016.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT