

**UNITED STATES DISTRICT COURT**

**FOR THE CENTRAL DISTRICT OF CALIFORNIA  
(EASTERN DIVISION)**

Joseph Diaz, Jr.,

Plaintiff,

vs.

RALPH HEREDIA, true name RAFAEL  
HEREDIA TARANGO, a/k/a RAFAEL  
HEREDIA, a/k/a RAFAEL  
BUSTAMANTE; JOHN DOE, ESQ.;  
and JANE DOES 1 through 20,  
inclusive,

Defendants.

Case No.: 5:20-cv-02332-JWH-KKx

**[PROPOSED] ORDER GRANTING  
DEFENDANT'S MOTION TO  
WITHDRAW MOTION TO  
DISMISS (ECF NO. 23) AND  
MOTION TO COMPEL  
ARBITRATION AND/OR STAY  
THE PROCEEDINGS PENDING  
ARBITRATION**

1 Currently pending before the Court is Defendant Ralph Heredia's Motion to  
2 Withdraw Motion to Dismiss (ECF No. 23) and Motion to Compel Arbitration  
3 and/or Stay the Proceedings Pending Arbitration pursuant to the boxer-manager  
4 contract in question, the Federal Arbitration Act, and associated case law. After  
5 considering the papers filed in support of and in opposition to the Motion, the  
6 Court orders that the Motion is **GRANTED** as set forth herein:

7 **IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss is hereby  
8 **WITHDRAWN**;

9 **IT IS FURTHER ORDERED** that Defendant's Motion to Compel  
10 Arbitration is **GRANTED**;

11 **IT IS FURTHER ORDERED** that the parties are directed to proceed with  
12 arbitration expeditiously before the California State Athletic Commission and to  
13 cooperate in all respects to facilitate that proceeding;

14 **IT IS FURTHER ORDERED** that this case be **REMOVED** from the  
15 active docket and place on the inactive docket;

16 **IT IS FURTHER ORDERED** that this case is **STAYED** pending the  
17 outcome of arbitration;

18 **IT IS FURTHER ORDERED** that the parties notify the Court within ten  
19 (10) days of termination of arbitration proceedings and provide a statement  
20 concerning the effect of the arbitration on the claims asserted in this action;

21 **IT IS SO ORDERED.**

22  
23 Dated: \_\_\_\_\_ 2021

24  
25 By \_\_\_\_\_  
26 The Honorable John W. Holcomb  
27 UNITED STATES DISTRICT JUDGE  
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