

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Rissi v. T-Mobile USA, Inc.

No. 24-cv-00267-AJB-KSC (S.D. Cal. July 14, 2025) · No. 24-cv-00267-AJB-KSC · Decided July 14, 2025

SUMMARY

The United States District Court for the Southern District of California denied T-Mobile USA, Inc.'s motion to stay the action pending arbitration between the plaintiff and NextGen Global Resources, LLC. The court concluded that the arbitrable claims did not predominate, the arbitration's outcome was unlikely to materially affect the non-arbitrable claims, and the proposed stay would be indefinite. The court directed T-Mobile and the plaintiff to contact the magistrate judge's chambers regarding issuance of a scheduling order.

CASE DETAILS

|                       |                                                                                                                                                                                                                    |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Southern District of California                                                                                                                                               |
| WRITING FOR THE COURT | Anthony J. Battaglia                                                                                                                                                                                               |
| JURISDICTION          | United States District Court for the Southern District of California                                                                                                                                               |
| DECIDED               | July 14, 2025                                                                                                                                                                                                      |
| DOCKET                | 24-cv-00267-AJB-KSC                                                                                                                                                                                                |
| DISPOSITION           | other                                                                                                                                                                                                              |
| PROCEDURAL POSTURE    | T-Mobile moved to stay the federal action pending arbitration between Plaintiff and NextGen Global Resources, LLC. The court denied the motion and directed the parties to request issuance of a scheduling order. |
| STANDARD OF REVIEW    | Abuse-of-discretion-style docket-management review; the district court has broad discretion to stay proceedings as an incident of its power to control its docket.                                                 |
| PRECEDENTIAL VALUE    | Unpublished federal district court order; persuasive rather than binding outside the case.                                                                                                                         |
| PARTIES               | T-Mobile USA, Inc. v. Emily Dockham Rissi                                                                                                                                                                          |

TOPICS

- arbitration
- civil procedure
- employment law
- damages
- equitable relief

## PRACTICE AREAS

civil procedure

arbitration

employment law

remedies

## QUESTIONS PRESENTED

1. Whether the court should stay the nonarbitrable claims against T-Mobile pending arbitration of Plaintiff's claims against NextGen.
2. Whether the potential overlap in facts, risk of inconsistent findings, potential duplicative recovery, and litigation expense justified an indefinite docket-management stay.

## HOLDINGS

1. A stay was not warranted because the arbitrable claims did not predominate, the outcome of the arbitration was unlikely to determine the nonarbitrable claims, and the proposed stay would be indefinite.
2. The limited factual overlap between the arbitrable claims and the claims against T-Mobile did not justify staying the action because the claims against T-Mobile remained independently litigable and the arbitrator's findings would not bind the court.
3. The indefinite nature of the proposed stay weighed heavily against granting it.

## KEY QUOTATIONS

*"The Ninth Circuit has "identified three non-exclusive factors courts must weigh when deciding whether to issue a docket management stay: (1) the possible damage which may result from the granting of a stay; (2) the hardship or inequity which a party may suffer in being required to go forward; and (3) the orderly course of justice measured in terms of the simplifying or complicating of issues, proof, and questions of law." (at 2)*

*"A stay should not be granted unless it appears likely the other proceedings will be concluded within a reasonable time in relation to the urgency of the claims presented to the court." (at 7)*

*"Considering that the arbitrable claims do not predominate, that the outcome of non-arbitrable claims will not depend upon the arbitrator's decisions, and that the requested stay would be indefinite, the Court finds that judicial efficiency and the potential damage to Plaintiff, though minimal, together outweigh the potential hardship T-Mobile will face proceeding with litigation." (at 8)*

## FACTUAL BACKGROUND

Plaintiff worked for T-Mobile directly and later was to perform substantially similar work through NextGen after relocating out of state. Plaintiff alleges that T-Mobile pressured her to resign before she received a NextGen employment agreement, and that delays in onboarding ultimately left her without the expected employment. She asserted employment, wage-and-hour, misrepresentation, interference, unjust-enrichment, and unfair-competition claims against T-Mobile and NextGen, while the claims against NextGen proceeded to arbitration.

## PROCEDURAL HISTORY

Plaintiff filed nine causes of action in San Diego County Superior Court on December 29, 2023. T-Mobile removed the action to the Southern District of California on February 9, 2024. The court previously compelled arbitration and stayed the action as to Plaintiff and NextGen only; T-Mobile then moved to stay the remaining litigation pending that arbitration.

## DISPOSITION

other

## REMAND INSTRUCTIONS

The court denied T-Mobile's motion to stay and directed T-Mobile and Plaintiff to contact Magistrate Judge Karen S. Crawford's chambers to request issuance of a scheduling order.

## CASES CITED

- Landis v. North American Co., 299 U.S. 248, 254 (1936)
- Leyva v. Certified Grocers of Cal., Ltd., 593 F.2d 857, 863-64 (9th Cir. 1979)
- Moses H. Cone Memorial Hospital v. Mercury Construction Corp., 460 U.S. 1, 21 n.23 (1983)
- In re PG&E Corp. Securities Litigation, 100 F.4th 1076, 1084-85 (9th Cir. 2024)
- Ernest Bock, LLC v. Steelman, 76 F.4th 827, 842 (9th Cir. 2023)
- Clinton v. Jones, 520 U.S. 681, 706 (1997)
- California Crane School, Inc. v. Google LLC, 621 F. Supp. 3d 1024, 1033-34 & n.3 (N.D. Cal. 2022)
- United Communications Hub, Inc. v. Qwest Communications, Inc., 46 Fed. Appx. 412, 415 (9th Cir. 2002)
- Ireland-Gordy v. Tile, Inc., 760 F. Supp. 3d 946, 964-65 (N.D. Cal. 2024)
- Lockyer v. Mirant Corp., 398 F.3d 1098, 1110-12 (9th Cir. 2005)
- CMAX, Inc. v. Hall, 300 F.2d 265, 268-70 (9th Cir. 1962)
- Parodi v. Liberty Mutual Insurance Co., No. 23-CV-01663-JSC, 2023 WL 4535088, at \*3 (N.D. Cal. June 6, 2023)