

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JASVIR DHALIWAL, :
 :
 Plaintiff, :
 :
 V. : CASE NO. 3:05-CV-331 (RNC)
 :
 DOCTOR'S ASSOCIATES, INC., :
 :
 Defendant. :

RULING AND ORDER

Plaintiff brings this action to vacate an arbitration award. Defendant moves to dismiss based on the pendency of a prior-filed action between the same parties involving the same issues, Doctor's Associates, Inc. v. Dhaliwal, No. 3:04CV01435 (PCD). The motion to dismiss is granted, in the absence of opposition, pursuant to the first-to-file rule, which provides for dismissal in these circumstances. See First City Nat'l Bank & Trust Co. v. Simmons, 878 F.2d 76, 79 (2d Cir. 1989); William Gluckin & Co. v. Int'l Playtex Corp., 407 F.2d 177, 178 (2d Cir. 1969); Hilb Rogal & Hobbs Co. v. Macginnitie, No. Civ. A. 3:04CV1541 (JCH), 2005 WL 441509, at *4 (D. Conn. Feb. 14, 2005). The Clerk may close the file.

So ordered this 10th day of May 2005.

Robert N. Chatigny
United States District Judge