

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PENNY LEE ANDERSON and
RUSSELL D. ANDERSON, SR.,

Plaintiffs,

v.

TRANS UNION, L.L.C.,
EXPERIAN INFORMATION
SOLUTIONS, INC.,
CSC CREDIT SERVICES, INC.,
and EQUIFAX, INC. d/b/a EQUIFAX
INFORMATION SERVICES LLC,

Defendants.

ORDER

03-C-0510-C

Defendants Trans Union, L.L.C., Experian Information Solutions, Inc., CSC Credit Services, Inc. and Equifax, Inc. have moved to join in the motion filed by then defendants Applied Card Systems, Inc. and Cross Country Bank, Inc. to compel arbitration of all issues raised in this case and stay all proceedings pending completion of the arbitration. (After defendants joined in the motion, Applied Card Systems and Cross Country Bank notified the court that they had reached an agreement with plaintiffs to proceed with arbitration and

to allow the court to dismiss plaintiffs' claims without prejudice and without an award of costs.) Plaintiffs Penny Lee Anderson and Russell D. Anderson, Sr. were given an opportunity to be heard on the motion to compel arbitration and to stay but chose not to take advantage of their opportunity.

It appears from the evidence in the record that plaintiffs' claims against defendants arise out of disputes concerning credit cards issued to them by defendants and that all of the credit cards were issued with agreements containing arbitration clauses that provided that disputes between card issuers and card holders must be resolved by arbitration. Plaintiffs evidenced their agreement to the arbitration clauses by using their credit cards after receiving the agreements.

The record supports defendants' motion to compel arbitration and plaintiffs have shown no reason to deny the motion. Therefore, it will be granted.

ORDER

IT IS ORDERED that the motion of defendants Trans Union, L.L.C., Experian Information Solutions, Inc., CSC Credit Services, Inc. and Equifax, Inc. to compel arbitration and to stay proceedings in this case pending completion of the arbitration is GRANTED. Defendant Trans Union is to advise the court of the status of arbitration no

later than April 12, 2004.

Entered this 9th day of January, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge