

IN THE CHANCERY COURT OF COUNTY, MISSISSIPPI

VS.

CASE NO.

, , , AND

**MOTION OF TO DISMISS AND COMPEL ARBITRATION OF CLAIMS OF CROSS-PLAINTIFFS**

COMES NOW, Cross-Defendant, (" "), pursuant to 9 U.S.C. §§ 3, 4 (1947), and moves this Court for an Order dismissing Cross-Plaintiffs, 's (" ") allegations in their cross-claim against and compelling the to submit the dispute raised in this litigation to arbitration. Alternatively, requests that this Court stay all proceedings pending arbitration. In support of its motion, incorporates herein by reference its Memorandum in Support of Its Motion to Dismiss and Compel Arbitration and the Affidavit of 'filed herewith. further states:

1. The opened a customer account with on or about , 20 . In connection with opening the account the executed a Client Option Agreement and Approval (the "Agreement"). The Agreement contains an arbitration clause requiring the to arbitrate the disputes raised in this litigation. See Exhibit A, paragraph 15.

2. The arbitration clause set forth in the Agreement executed by the is enforceable as a matter of law under the Federal Arbitration Act. See 9 U.S.C. § 2 (1947).

3. The 's allegations against are clearly within the ambit of the binding arbitration clause and should be compelled to arbitration in accordance with the Agreement.

WHEREFORE, Cross-Defendant, prays for an Order of this Court dismissing Cross-Plaintiffs' Cross-Claim against and compelling Cross-Plaintiffs to arbitrate their claims against . Alternatively, prays for an Order staying the proceedings in this case until arbitration between Cross-Plaintiffs and has been completed. further requests costs and expenses incurred herein, and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

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Attorney for

Of counsel:

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Attorney for