

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DESPINA KOSTA,

Plaintiff,

v.

ROBBINS RESEARCH
INTERNATIONAL, INC; ANTHONY J.
“TONY” ROBBINS; and BONNIE P.
“SAGE” ROBBINS,

Defendants.

CASE NO.: 1:20-cv-10880-LJL

**STIPULATION FOR BINDING
ARBITRATION AND ~~(PROPOSED)~~
ORDER**

Courtroom: 15-C
District Judge: Hon. Lewis J. Linman
Magistrate Judge: Hon. Gabriel W.
Gorenstein
Complaint Filed: December 23, 2020
Trial Date: Not Set

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Despina Kosta (“Plaintiff”), on the one hand, and Defendants Robbins Research International, Inc. (“RRI”), Anthony “Tony” J. Robbins, and Bonnie “Sage” P. Robbins (collectively, “Defendants”), on the other hand, by and through their respective legal counsel, that any and all disputes, claims, allegations, and causes of action Plaintiff and Defendants (collectively, the “Parties”) have, or may have, against each other, be submitted to final, binding, and confidential arbitration as provided hereinbelow:

WHEREAS, Plaintiff has been employed by RRI from on or about May 31, 2011 to the present. As a condition to Plaintiff’s employment by RRI, Plaintiff signed a binding contractual arbitration agreement (the “Arbitration Agreement”).

WHEREAS, Plaintiff filed a complaint with Equal Employment Opportunity Commission, New York District Office, on November 24, 2020 against Defendants (the “EEOC Complaint”).

WHEREAS, prior to filing the EEOC Complaint, RRI’s counsel notified Plaintiff’s counsel of the existence of the Arbitration Agreement.

WHEREAS, on November 20, 2020, RRI initiated an arbitration action against Plaintiff

pursuant to the Arbitration Agreement (the “Pending Arbitration”).

WHEREAS, on December 23, 2020, Plaintiff filed a lawsuit against Defendants in United States District Court, Southern District of New York, case number 1:20-cv-10889-LJL (the “New York Action”). Plaintiff alleges claims in the New York Action for: (1) Discrimination under the Americans with Disabilities Act of 1990; (2) Discrimination under the New York State Human Rights Law; (3) Discrimination under the New York City Administrative Code; and (4) Intentional Infliction of Emotional Distress.

WHEREAS, Defendants contend that the Arbitration Agreement governs Plaintiff’s claims alleged in the EEOC Complaint and the New York Action and that all disputes, claims, and allegations the Parties have, or may have, against each other are required to be litigated in the Pending Arbitration.

Based on the foregoing, **IT IS HEREBY STIPULATED AND AGREED**, by and between the Parties, through their respective counsel of record, as follows:

1. The Parties agree to submit any and all claims, disputes, allegations, and causes of action they have, or may have, against each other, including but not limited to those alleged in the EEOC Complaint, New York Action, and Pending Arbitration, to confidential and binding arbitration through an arbitration service provider mutually agreed upon by the Parties;
2. The arbitration shall be governed by the Federal Arbitration Act (“FAA”);
3. The Pending Arbitration shall be venued in New York, New York;
4. The arbitration proceedings shall be held in New York, New York;
5. The Parties will each bear their own costs and attorneys’ fees, except that RRI will pay for all arbitration expenses that are unique to arbitration, including the arbitrator’s fees; and
6. The Court shall stay the New York Action in its entirety pending the completion of arbitration, but maintain jurisdiction to (a) enforce the terms of this stipulation; (b) confirm the arbitration award rendered in the arbitration proceedings [the Pending Arbitration]; (c) adjudicate any appeal of the arbitrator[s]’s order(s); and (d) make any other orders it deems necessary and

proper.

IT IS SO STIPULATED.

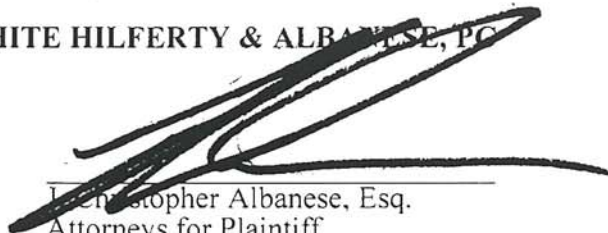
Respectfully submitted,

WHITE HILFERTY & ALBANESE, PC

Dated:

1/20/2021

By:



Christopher Albanese, Esq.
Attorneys for Plaintiff
DESPINA KOSTA

Dated:

1/25/21

By:

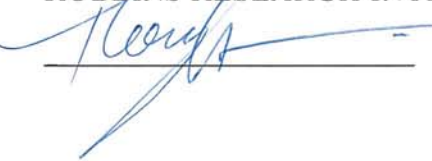


Attorneys for Defendant
ROBBINS RESEARCH INTERNATIONAL

Dated:

1/25/21

By:



Attorneys for Defendant
Anthony "Tony" J. Robbins

Dated:

1/25/21

By:



Attorneys for Defendant
Bonnie "Sage" P. Robbins

~~PROPOSED~~ ORDER

Having read and considered the Joint Stipulation and finding good cause therefore, IT IS HEREBY ORDERED that:

1. Plaintiff's claims shall proceed to arbitration within 15 days of this order.
2. The Parties will provide notice to the Court once Arbitration is completed.

IT IS SO ORDERED.

Dated: February 8, 2021



JUDGE OF THE UNITED STATES
DISTRICT COURT