

MOTION TO THE COURT

[Your Name],
Petitioner

**MOTION TO CONFIRM ARBITRATION
AWARD**

vs.

[Other Side's Name],
Respondent

Based upon the award of Arbitrator **[Arbitrator Name]**, reflected in the attached documents, Petitioner requests that the Court confirm the arbitration award as a judgment and enter judgment against the Respondent in the amount(s) of \$**[Award Amount]**

Respectfully submitted,

[Your Signature]
Petitioner

[Filing Date]

ORDER

[Your Name],
Petitioner

Vs.

[Other Side's Name],
Respondent

ORDER

This Court has considered the request of Petitioner to confirm an arbitration award and has reviewed all documents.

THIS COURT ORDERS that the arbitration award issued in this case in the amount of \$**[Award Amount]** be confirmed and that a judgment be entered immediately in the amount of \$**[Award Amount]** in favor of Petitioner and against Respondent.

[Signature]
Judge **[Judge's Name]**

[Filing Date]

MEMORANDUM OF LAW

[Your Name],
Petitioner

MEMORANDUM IN SUPPORT OF MOTION TO CONFIRM ARBITRATION AWARD

vs.

[Other Side's Name],
Respondent

This memorandum is submitted on behalf of Petitioner **[Your Name]** in support of its motion, pursuant to 9 U.S.C. § 9, to confirm an arbitration award. This motion should be granted and the award confirmed into a judgment because the arbitration was in all respects proper and the award is final and binding.

Statement of Facts

On or about **[FairClaims Signup Date]** Petitioner and Respondent entered into an agreement which provided that the parties would settle any dispute arising out of the agreement by arbitration according to Arbitrator **[Arbitrator's Name]**.

Procedural Background

On or about **[FairClaims Signup Date]** Petitioner filed an arbitration claim with FairClaims, Inc., an arbitration company in good standing based in Los Angeles, California, claiming **[\$Dispute Amount]** in damages due to Petitioner. On **[Decision Date]** the Arbitrator issued Petitioner an award of **[\$Award Amount]**. Petitioner now moves to confirm this award.

Explanation

The Federal Arbitration Act, 9 U.S.C. § 9, provides that "within one year after the award is made any party to the arbitration may apply to the court so specified for an

order confirming the award, and thereupon the court must grant such an order unless the award is vacated, modified, or corrected." Accordingly, the court has the obligation to confirm Petitioner's arbitration award into a judgment. See *Doctor's Assocs., Inc. v. Casarotto*, 116 S. Ct. 1652, 1657 (1996) (stating the purpose of the Federal Arbitration Act is to ensure that private agreements to arbitration are enforced); *Allied- Bruce Terminix Cos. v. Dobson*, 115 S. Ct. 834, 838 (1995) ("[T]he basic purpose of the Federal Arbitration Act is to overcome courts' refusals to enforce agreements to arbitrate."); *Southland Corp. v. Keating*, 465 U.S. 1, 15-16 (1984) (holding the Federal Arbitration Act preempts state law and state courts cannot apply state statutes that invalidate arbitration agreements).

The standard of review of an arbitrator's decision by the court is very narrow. The scope of review is limited and the court will not examine the validity of the decision except to the extent that the award exceeds the agreement of the parties. See *Burchell v. Marsh*, 58 U.S. 344, 349 (1854) (stating the appropriate scope of judicial review is whether the award is the honest decision of the arbitrator, made within the scope of the arbitrator's power, and that a court will not otherwise set aside an award for error, either in law or fact); *Coast Trading Co. v. Pacific Molasses Co.*, 681 F.2d 1195, 1197- 98 (9th Cir. 1982).

Here, the Arbitrator, having considered the pleadings and other evidence presented at the hearing, determined that Respondent was liable to Petitioner for \$ [Award Amount]. There are no grounds for vacating, modifying, or correcting an arbitration award enumerated in 9 U.S.C. §§ 10-11 which exist, and Respondent has not made any motion to vacate, modify, or correct the award.

Conclusion

Petitioner respectfully requests an order confirming an arbitration award into a judgment the amount of \$[Award Amount] for Petitioner [Your Name] and against Respondent [Other Side's Name].

Respectfully submitted,

[Your Signature]

Petitioner

[Filing Date]