

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

)	
CAPSTONE BUILDING CORP.,)	
)	
Plaintiff,)	
)	CIVIL ACTION
v.)	
)	No. 05-MC-211-CM
)	
KEATING CONSTRUCTION & DRYWALL, INC.,)	
)	
Defendant.)	
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MEMORANDUM AND ORDER

This matter comes before the court on plaintiff's Motion to Confirm Arbitration Award (Doc.

1). Plaintiff proffers the following in its motion: Plaintiff and defendant entered into a subcontracting agreement whereby the parties agreed to submit all disputes to binding and final arbitration. Pursuant to that agreement, plaintiff made demand for arbitration to defendant in response to defendant's failure to fulfill the terms of the subcontracting agreement. In October 2004, the parties selected Arbitrator William Braswell to conduct the arbitration. On January 26, 2005, a hearing was held before Arbitrator Braswell. On March 15, 2005, Arbitrator Braswell issued an award ordering defendant to pay plaintiff \$86,130.00.

Pursuant to the Kansas Uniform Arbitration Act, the making of an agreement to submit to arbitration confers jurisdiction on this court to enforce the agreement and to enter judgment on an

award thereunder. Kan. Stat. Ann. § 5-416. Thus, jurisdiction to enter an order confirming Arbitrator Braswell's award is proper in this court.

Plaintiffs moved on March 30, 2005, for confirmation of the arbitration award. Defendant did not file a response. As such, the court concludes that Arbitrator Braswell's award is binding upon defendant and is dispositive of all claims between and among the parties. The court hereby enters an award confirming Arbitrator Braswell's award of \$86,130.00 to plaintiff.

IT IS THEREFORE ORDERED that plaintiff's Motion to Confirm Arbitration Award (Doc. 1) is granted.

Dated this 18 day of May 2005, at Kansas City, Kansas.

s/ Carlos Murguia _____
CARLOS MURGUIA
United States District Judge

