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11 **PIMA COUNTY CONSOLIDATED JUSTICE COURT**
12 **SMALL CLAIMS DIVISION**

13 Daniel S. Dempsey,

14 Plaintiff,

15 vs.

16 Citibank, N.A.,

17 Defendant.

18 NO. CV-12-002392-SC

19 **MOTION FOR TRANSFER TO
20 JUSTICE COURT**

21 Defendant, Citibank, N.A. ("Citibank"), by and through its attorneys, undersigned,
22 and pursuant to A.R.S. §§ 22-504 and 512, hereby objects to proceedings being held in the
23 Small Claims Division of Justice Court and requests that this case be transferred from the
24 Small Claims Division of Justice Court to the regular Justice Court.

25 In addition, Citibank affirmatively alleges that the Checking Plus Account
26 Agreement and any other agreement(s) (the "Agreements") that form the subject matter of
this action between Citibank and Plaintiff, Daniel S. Dempsey ("Dempsey"), are subject to
mandatory arbitration pursuant to the terms of arbitration clauses in the Agreements, and
pursuant to the Federal Arbitration Act, 9 U.S.C. § 2 *et seq.*, and/or Arizona law.

Pursuant to the terms of the Agreements, Citibank also makes formal demand that
no proceedings occur in the above-captioned matter until the parties have an opportunity
to commence arbitration as specified by the terms of the Agreements.

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RESPECTFULLY SUBMITTED this 27th day of February, 2012.

QUARLES & BRADY LLP
One South Church Avenue, Suite 1700
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By 
Scott S. Simonson
Elizabeth S. Fella

Attorneys for Defendant, Citibank, N.A.

ORIGINAL FILED this 27th day
of February, 2012, with:

Pima County Consolidated Justice Court
Small Claims Division
115 N. Church Avenue
Tucson, Arizona 85701

COPY mailed this 27th day
of February, 2012, to:

Daniel S. Dempsey


Plaintiff
