

14-1458 MNH GOVERNMENT SERVICES V. ZABOROWSKI

DECISION BELOW: 601 Fed.Appx 461

LOWER COURT CASE NUMBER: 13-15671

QUESTION PRESENTED:

The Federal Arbitration Act ("FAA") provides that an arbitration agreement shall be enforced "save upon such grounds as exist at law or in equity for the revocation of any contract," 9 U.S.C. § 2. California law applies one rule of contract severability to contracts in general, and a separate rule of contract severability to agreements to arbitrate. The arbitration-only rule disfavors arbitration and applies even when the agreement contains an express severability clause. Its application in this case conflicts with binding precedent of this Court and with opinions of four other courts of appeals.

The question presented is whether California's arbitration-only severability rule is preempted by the FAA.

CERT. GRANTED 10/1/2015