

United States Court of Appeals  
For the Eighth Circuit

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No. 23-2494

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Joseph O. Dixon

*Plaintiff - Appellant*

v.

Charles Schwab & Co., Inc.

*Defendant - Appellee*

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Appeal from United States District Court  
for the District of Minnesota

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Submitted: December 14, 2023

Filed: December 19, 2023

[Unpublished]

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Before GRUENDER, ERICKSON, and STRAS, Circuit Judges.

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PER CURIAM.

Joseph Dixon appeals following the district court's<sup>1</sup> judgment denying his petition to vacate an adverse arbitration award under the Federal Arbitration Act and dismissing this civil action against Charles Schwab & Co., Inc. (Schwab).

After careful review of the record and the parties' arguments on appeal, we conclude the district court did not abuse its discretion in denying Dixon's motion to disqualify the law firm representing Schwab, see A.J. by L.B. v. Kierst, 56 F.3d 849, 859 (8th Cir. 1995) (reviewing for abuse of discretion determination whether to disqualify counsel); and Dixon did not identify any conduct warranting sanctions, see Adams v. USAA Cas. Ins. Co., 863 F.3d 1069, 1076-77 (8th Cir. 2017) (district court may impose sanctions on counsel for abusing judicial process or for filing paper for any improper purpose). In addition, there was good cause to delay a pretrial conference and scheduling order while Schwab's motion to dismiss was pending. See Fed. R. Civ. P. 16(b)(2) (judge must issue scheduling order within prescribed time period, unless judge finds good cause for delay).

We further conclude the district court did not err in denying Dixon's petition to vacate the arbitration award and granting the cross-motion to confirm the award, see Manion v. Nagin, 392 F.3d 294, 298 (8th Cir. 2004) (on review of confirmation of arbitration award, factual findings reviewed for clear error and questions of law reviewed de novo); or in dismissing the complaint as barred by res judicata, see Banks v. Int'l Union Elec. Workers, 390 F.3d 1049, 1052 (8th Cir. 2004) (dismissal on grounds of res judicata reviewed de novo).

Accordingly, we affirm. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Jerry W. Blackwell, United States District Judge for the District of Minnesota.