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3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
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8 **ROBIN REESE, individually and on behalf of**
9 **all others similarly situated,**

10 **Plaintiff,**

11 **v.**

12 **ODWALLA, INC. AND THE COCA-COLA CO.,**

13 **Defendants.**

Case No.: 13-CV-947 YGR

**ORDER DIRECTING PARTIES TO FILE
SUPPLEMENTAL BRIEFING ON EFFECT OF
FDA REOPENING OF COMMENT PERIOD ON
PENDING MOTION TO DISMISS**

14 On March 4, 2014, Defendant Odwalla, Inc. filed a letter notifying the Court of a recent
15 development in official guidance of the U.S. Food and Drug Administration (“FDA”) concerning
16 the use of the term “evaporated cane juice.” The letter attached a copy of the FDA’s public
17 announcement.

18 On March 6, 2014, Plaintiff filed a response to that letter and requested leave to submit a
19 letter brief addressing the implications of the notice for Plaintiff’s complaint here.

20 The parties are directed to file supplemental briefs of no more than **six (6)** pages addressing
21 the effect of the FDA action on Plaintiff’s claims and the pending motion to dismiss no later than
22 **March 14, 2014**. No rebuttal briefing will be permitted without further order of the Court.

23 **IT IS SO ORDERED.**

24 Date: March 6, 2014

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26 **YVONNE GONZALEZ ROGERS**
27 **UNITED STATES DISTRICT COURT JUDGE**
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