

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**ROBIN REESE, individually and on behalf of
all others similarly situated,**

Plaintiff,

v.

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

Defendants.

Case No.: 13-CV-947 YGR


**ORDER MAINTAINING STAY AND SETTING
FURTHER COMPLIANCE HEARING**

The Court has reviewed the parties' supplemental briefing on the issues of whether the stay should be lifted and has considered the parties' oral arguments of June 16, 2015. Having considered those arguments, and particularly in light of Plaintiffs' concession that any potential for prejudice is mitigated by Defendants' previous removal of the term "evaporated cane juice" from their product labels, the Court finds that a continued stay on primary jurisdiction grounds is appropriate. The Court therefore Orders that this action shall remain **STAYED**.

The Court sets a compliance hearing for **Friday, October 30, 2015**, at 9:01 a.m. The parties shall file a joint statement of no more than five pages updating the Court on the status of the FDA's action. Should the parties file their joint statement timely, the Court may vacate the hearing without the necessity of an appearance.

IT IS SO ORDERED.

Date: June 23, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE