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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIACENTER FOR FOOD SAFETY, et al.,
Plaintiffs,
v.
TOM VILSACK, et al.,
Defendants.Case No. [15-cv-01590-HSG](#)**ORDER DENYING DEFENDANT'S
MOTION FOR RELIEF FROM NON-
DISPOSITIVE PRETRIAL ORDER**

Re: Dkt. No. 81

On May 3, 2017, Magistrate Judge Kandis A. Westmore granted in part and denied in part Plaintiffs' motion to compel completion of the administrative record, or in the alternative, for leave to conduct limited discovery. Dkt. No. 77. On May 17, 2017, Defendants filed a motion for relief from Judge Westmore's order. Dkt. No. 81. On May 31, 2017, Plaintiffs file an opposition. Dkt. No. 83. The Court has carefully reviewed Judge Westmore's order, Defendants' motion, Plaintiffs' opposition, and the relevant legal authorities. Judge Westmore's order is well-reasoned and thorough. The Court affirms the non-dispositive order because it is not "clearly erroneous or contrary to law." See *Grimes v. City & Cty. of San Francisco*, 951 F.2d 236, 240 (9th Cir. 1991). Moreover, the Court declines to stay proceedings pending the Ninth Circuit's resolution of the mandamus petition referenced by Defendants, see Dkt. No. 81 at 5, because Defendants have not shown that they are entitled to a stay under the controlling four-factor test, see *Nken v. Holder*, 556 U.S. 418, 425 (2009). Accordingly, the Court **DENIES** Defendant's motion for relief from Judge Westmore's non-dispositive pretrial order.

IT IS SO ORDERED.

Dated: 6/19/2017


HAYWOOD S. GILLIAM, JR.
United States District JudgeUnited States District Court
Northern District of California