

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  
SAN JOSE DIVISION

KATIE KANE, et al.,  
Plaintiffs,  
v.  
CHOBANI, INC.,  
Defendant.

Case No. 12-CV-02425-LHK  
**ORDER STAYING CASE**

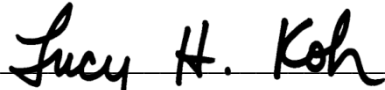
On March 16, 2016, the Ninth Circuit vacated the Court’s prior judgment in the instant case and remanded “with instructions that the district court stay this action pending resolution of the FDA’s ‘natural’ and ‘evaporated cane juice’ proceedings.” ECF No. 180. The Ninth Circuit subsequently issued the mandate in this case. ECF No. 181. Therefore, the Court STAYS proceeding in the instant case. The Clerk shall administratively close the file.

The Court notes that since the Ninth Circuit’s March 16, 2016 decision, the FDA has issued a Guidance for Industry: Ingredients Declared as Evaporated Cane Juice, Dkt. No. FDA-2009-D-0430. The parties shall notify the Court within seven days of the resolution of the FDA’s proceedings on the term “natural.”

**IT IS SO ORDERED.**

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

Dated: July 29, 2016

  
\_\_\_\_\_  
LUCY H. KOH  
United States District Judge