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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARGARET CRUZ-ACEVEDO,
Plaintiff,

v.

UNILEVER UNITED STATES INC., et al.,
Defendants.

Case No. [5:16-cv-05599-EJD](#)

**ORDER GRANTING DEFENDANTS'
MOTION TO STAY**

Re: Dkt. No. 13

On August 26, 2015, Plaintiff filed this case in the United States District Court for the District of Puerto Rico. Dkt. No. 1. On November 24, 2015, Defendants moved to transfer the case to this Court. Dkt. No. 8. The Puerto Rico court granted the motion to transfer on September 26, 2016. Dkt. No. 17.

Before the case was transferred, Defendants moved for judgment on the pleadings, or alternatively, to stay proceedings under the primary jurisdiction doctrine. Dkt. No. 13. That motion is now pending before this Court.

Case No.: [5:16-cv-05599-EJD](#)
ORDER GRANTING DEFENDANTS' MOTION TO STAY

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Defendants argue that this case should be stayed until the U.S. Food and Drug administration completes its proceedings regarding use of the term “natural” in food labeling. Id. at 12–18; see also Kane v. Chobani, LLC, 645 F. App’x 593, 594 (9th Cir. 2016) (staying case pending FDA proceedings regarding the term “natural”). Plaintiff did not oppose the motion.

Accordingly, the Court STAYS this action pending completion of FDA proceedings regarding use of the term “natural” in food labeling. The parties shall file a joint status report every six months from the date of this order. The Clerk shall administratively close this file.

IT IS SO ORDERED.

Dated: December 6, 2017



EDWARD J. DAVILA
United States District Judge