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THE HAIN CELESTIAL GROUP, INC.
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 BARBARA ANDERSON, on behalf of herself
and all others similarly situated,

13 Plaintiff,
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15 v.

16 THE HAIN CELESTIAL GROUP, INC., and
DOES 1 through 10, inclusive,

17 Defendants.
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Case No. C 14-03895 EJD

**STIPULATION AND ~~PROPOSED~~
ORDER TO STAY CASE**

Judge: Hon. Edward J. Davila

Action Filed: November 5, 2013

The parties to the above-captioned case hereby stipulate as follows:

WHEREAS, on March 30, 2016, the Court issued an Order to Show Cause (ECF No. 59) why this action should not be stayed under the primary jurisdiction doctrine until such time as the U.S. Food and Drug Administration completes its proceedings regarding the term “natural” in food labeling.

WHEREAS, based upon the particular facts and circumstances of this case, the parties do not oppose a stay of this case under the primary jurisdiction doctrine.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiff and Defendant, that the above-captioned case shall be stayed pending further guidance from the FDA regarding use of the term “natural” in connection with food products. Nothing in this stipulation, however, forbids either Party from bringing a later motion to seek relief from such a stay if the FDA fails to act in a timely manner.

IT IS FURTHER STIPULATED AND AGREED that, within ten days of the FDA providing such guidance, the Parties shall file a joint status report providing notice to the Court of the FDA’s actions.

Dated: April 6, 2016

JAMES M. SCHURZ
KEVIN M. COLES
MORRISON & FOERSTER LLP

By: /s/ James M. Schurz

JAMES M. SCHURZ

Attorneys for Defendant
THE HAIN CELESTIAL GROUP, INC.

Dated: April 6, 2016

CHANT YEDALIAN
CHANT & COMPANY
A Professional Law Corporation

By: /s/ Chant Yedalian

CHANT YEDALIAN

Attorney for Plaintiff
BARBARA ANDERSON

ORDER

PURSUANT TO THIS STIPULATION, IT IS SO ORDERED.
The Clerk shall administratively close this case.

Dated: 4/8/2016



HON. EDWARD J. DAVILA
United States District Court Judge

ECF ATTESTATION

I, James M. Schurz, am the ECF User whose ID and password are being used to file the foregoing document. In compliance with Civil Local Rule 5-1(i), I hereby attest that Chant Yedalian has concurred in this filing.

Dated: April 6, 2016

JAMES M. SCHURZ
KEVIN M. COLES
MORRISON & FOERSTER LLP

By: /s/ James M. Schurz
JAMES M. SCHURZ

CERTIFICATE OF SERVICE

I hereby certify that, on this 6th day of April, 2016, I electronically filed a PDF version of this document with the Court using the CM/ECF system, which will transmit a Notice of Electronic Filing to all CM/ECF registrants in this case.

James M. Schurz
(typed)

/s/ James M. Schurz
(signature)