

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SADISHA PERERA,
Plaintiff,
v.
PACIFIC FOODS OF OREGON, INC.,
Defendant.

Case No. [3:14-cv-02074-JD](#)

ORDER LIFTING STAY


Re: Dkt. No. 52

On July 30, 2014, the Court stayed this action pending final guidance from the U.S. Food and Drug Administration on the use of the term “Evaporated Cane Juice” in food labeling. Dkt. No. 40. That stay has since been extended in 90-day increments for more than a year and a half. Dkt. Nos. 42, 44, 46, 48, 51. After carefully considering the parties’ positions on the merits of maintaining the stay in light of the FDA’s continued delay in providing final guidance (*see* Dkt. No. 52), the Court now lifts the stay.

Permission is granted for the plaintiff to file an amended complaint, if she wishes do so. Any such complaint must be filed on or before January 27, 2016. Defendant will then have the opportunity to file a renewed Motion to Dismiss responding either to plaintiff’s amended complaint, if any, or to the currently operative complaint, *see* Dkt. No. 1.

IT IS SO ORDERED.

Dated: January 5, 2016



JAMES DONATO
United States District Judge

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