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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ALESSANDRA BALSER and RUTH)	CASE NO. CV 13-5604-R
KRESHA, individually and on behalf of all)	
others similarly situated)	ORDER DENYING DEFENDANT’S
)	MOTION TO STAY
)	
Plaintiffs,)	
)	
v.)	
)	
THE HAIN CELESTIAL GROUP, INC.,)	
)	
)	
Defendant.)	

21 Before the Court is Defendant’s Motion to Stay, which was filed on April 18, 2016 (Dkt.
22 No. 55).

23 The district court has inherent power to issue a stay in a case before it “to control the
24 disposition of the causes on its docket in a manner which will promote economy of time and effort
25 for itself, for counsel, and for litigants.” *Filtrol Corp. v. Kelleher*, 467 F.2d 242, 244 (9th Cir.
26 1972). “The exertion of this power calls for the exercise of a sound discretion.” *CMAX, Inc. v.*
27 *Hall*, 300 F.2d 265, 268 (9th Cir. 1962). When a stay is sought, “the competing interests which
28 will be affected by the granting or refusal to grant a stay must be weighed.” *Id.* “Among these

1 competing interests are the possible damage which may result from the granting of a stay, the
2 hardship or inequity which a party may suffer in being required to go forward, and the orderly
3 course of justice measured in terms of the simplifying or complicating of issues, proof, and
4 questions of law which could be expected to result from a stay.” *Id.* The party petitioning for a
5 stay “bears the burden of establishing its need.” *Clinton v. Jones*, 520 U.S. 681, 708 (1997). The
6 court must also “balance the length of the stay against the strength of the justification given for it.”
7 *Yong v. INS*, 208 F.3d 1116, 1119 (9th Cir. 2000). “If a stay is especially long or its term is
8 indefinite, we require a greater showing to justify it.” *Id.* at 1120.

9 Defendant asserts that the Ninth Circuit will soon be examining cases involving similar
10 issues to that presented in this case. However, the Ninth Circuit is always examining cases that
11 have relevance to those on this Court’s docket. The simple fact that the Ninth Circuit will
12 examine relevant issues is not independently sufficient to justify a stay. Having been delayed for
13 years since the Court Ordered this case dismissed, it cannot be said to be in the interests of the
14 parties’ or the public to needlessly draw out this litigation further than is required to obtain a just
15 result. This basic principle holds particularly true in this case, where the Court cannot know when
16 exactly the Ninth Circuit will resolve the issues in the other cases. Granting a stay of an indefinite
17 term requires a greater justification. The speculative fear that discovery may be found to have
18 been less focused than possible after the Ninth Circuit’s future decisions does not provide a
19 necessary justification. The Ninth Circuit in its ruling in this case has asked this Court to move
20 forward on class certification and discovery issues in light of the *already existing* case law, and
21 this Court finds no reason to delay compliance with this demand. This Court therefore DENIES
22 Defendant’s Motion to Stay.

23 As both parties’ position papers regarding the Ninth Circuit’s Mandate appear to have
24 presumed that this Court would grant the Motion to Stay, neither party has adequately addressed
25 the issue of whether precertification discovery is necessary, given Plaintiff’s particular document
26 requests, updated requests, and recent case law. This Court therefore ORDERS both parties to file
27 supplemental position papers with this Court, providing concise but detailed positions on this
28 issue, by May 9, 2016 at 11:59 P.M.

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IT IS HEREBY ORDERED that Defendant's Motion to Stay is DENIED. (Dkt. No. 55).

IT IS HEREBY FURTHER ORDERED that both parties file supplemental position papers with this Court concerning whether precertification discovery is necessary, as detailed above, by May 9, 2016 at 11:59 P.M.

Dated: May 5, 2016.



MANUEL L. REAL
UNITED STATES DISTRICT JUDGE