

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Calvary Chapel San Jose v. Santa Clara County

No. 23-cv-04277-VC, United States District Court for the Northern District of California (April 17, 2025)

OPINION

Calvary Chapel San Jose v. Santa Clara County

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CALVARY CHAPEL SAN JOSE, et al., Case No. 23-cv-04277-VC Plaintiffs,

ORDER DENYING MOTION TO LIFT

v. STAY SANTA CLARA COUNTY, et al., Re: Dkt. No. 89 Defendants. The motion to lift the stay is denied. As ordered at the August 29, 2024, hearing, the case will remain stayed pending adjudication of the state court case. A district court may stay a case pending resolution of related proceedings “which bear upon the case,” whether or not the issues in the separate proceedings are “necessarily controlling of the action before the district court.” In re PG&E Corp. Securities Litigation, 100 F.4th 1076, 1086 (9th Cir. 2024). In defending that case, Calvary Chapel has repeatedly argued that the County’s public health orders and enforcement of those orders against it violate the First Amendment. See generally Calvary Chapel San Jose v. Cody, 20-cv-3794, ECF No. 242-1 (N.D. Cal. Nov. 22, 2022) (documents from state case). Here, Calvary Chapel similarly asserts that the County violated its First Amendment rights by surveilling it for the purpose of gathering evidence for that enforcement action. So the state case clearly “bears upon” this one, making it more efficient to keep this case stayed until that one is resolved. IT IS SO ORDERED.

Dated: April 17, 2025

VINCE CHHABRIA

United States District Judge