

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Hamzeh v. Pharmavite LLC

Hamzeh · No. 24-cv-00472-HSG · Decided July 8, 2025

SUMMARY

The United States District Court for the Northern District of California denied Pharmavite LLC and Nature Made Nutritional Products’ motion to stay the proceedings and discovery pending resolution of an appeal in Bowler v. Nestlé Health Science, U.S., LLC. Applying the Landis factors, the court concluded that the early and uncertain stage of the appeal and the risk of further prolonging the case weighed against a stay.

CASE DETAILS

COURT	United States District Court for the Northern District of California
JURISDICTION	United States District Court for the Northern District of California
DECIDED	July 8, 2025
DOCKET	24-cv-00472-HSG
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to stay the proceedings and to obtain a protective order staying discovery pending resolution of an appeal in Bowler v. Nestlé Health Science, U.S., LLC. The district court denied the motion.
STANDARD OF REVIEW	A Landis stay is committed to the district court's discretion.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not stated.

TOPICS

- civil procedure
- discovery dispute
- appellate procedure
- standard of review

PRACTICE AREAS

- civil procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the court should exercise its inherent authority under Landis to stay the proceedings and discovery pending resolution of the Bowler appeal.

HOLDINGS

1. The court denied the requested stay because the uncertain timing and possible limited precedential effect of the Bowler appeal, together with the risk of further prolonging the case, weighed against a stay.

KEY QUOTATIONS

“A district court’s “power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”” (at 1)

““[I]f there is even a fair possibility that the stay for which [the requesting party] prays will work damage to [someone] else,” then the party seeking a stay “must make out a clear case of hardship or inequity in being required to go forward.”” (at 1)

FACTUAL BACKGROUND

Defendants sought to halt the proceedings and discovery until the Ninth Circuit resolved the Bowler appeal. The Bowler appeal was in its early stages: briefing was set, but oral argument had not been scheduled and the timing or substance of a decision was uncertain. The court determined that waiting for Bowler could further protract this matter and that the parties could assess the effect of any later decision when it issued.

PROCEDURAL HISTORY

The action was pending in the Northern District of California when Defendants Pharmavite LLC and Nature Made Nutritional Products sought a stay pending the Ninth Circuit's resolution of the Bowler appeal. The court concluded that the possibility of prolonging the matter counseled against a stay and denied the motion.

DISPOSITION

other

CASES CITED

- Landis v. N. Am. Co., 299 U.S. 248, 254-55 (1936)
- CMAX, Inc. v. Hall, 300 F.2d 265, 268 (9th Cir. 1962)
- Dependable Highway Express, Inc. v. Navigators Ins. Co., 498 F.3d 1059, 1066 (9th Cir. 2007)
- Bowler v. Nestlé Health Science, U.S., LLC
- Lathrop v. Uber Techs., Inc., No. 14-cv-05678-JST, 2016 WL 97511, at *4 (N.D. Cal. Jan. 8, 2016)
- Vance v. Google LLC, No. 5:20-CV-04696-BLF, 2021 WL 534363, at *6 (N.D. Cal. Feb. 12, 2021)
- Edwards v. Oportun, Inc., 193 F. Supp. 3d 1096, 1101 (N.D. Cal. 2016)
- Johnson v. Starbucks Corp., No. 18-CV-01134-MEJ, 2018 WL 2938548, at *1 (N.D. Cal. June 12, 2018)

- Gabriella v. Recology Inc., No. 21-cv-08460-HSG, 2022 WL 6271866, at *5 (N.D. Cal. Sept. 9, 2022)

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