

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.

OPINION

Hamzeh v. Pharmavite LLC

PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 GUILTY HAMZEH, Case No. 24-cv-00472-HSG 8 Plaintiff, ORDER DENYING
DEFENDANTS’

MOTION TO STAY

9 v. Re: Dkt. No. 74 10 PHARMAVITE LLC, et al., 11 Defendants. 12 13 Pending before the
Court is Defendants Pharmavite LLC and Nature Made Nutritional 14 Products’ (collectively,
“Pharmavite”) motion to stay the proceedings and issue a protective order 15 staying discovery
until the appeal in *Bowler v. Nestlé Health Science, U.S., LLC* is resolved by the 16 Ninth
Circuit.¹ Dkt. No. 74 (“Mot.”). For the reasons discussed below, the Court DENIES 17
Defendants’ motion.

18 I. LEGAL STANDARD

19 A district court’s “power to stay proceedings is incidental to the power inherent in every 20
court to control the disposition of the causes on its docket with economy of time and effort for 21
itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). To 22
determine whether a Landis stay is warranted, courts consider: (1) “the possible damage which 23
may result from the granting of a stay,” (2) “the hardship or inequity which a party may suffer in
24 being required to go forward,” and (3) “the orderly course of justice measured in terms of the
25 simplifying or complicating of issues, proof, and questions of law which could be expected to
26 result from a stay.” *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir. 1962). “[I]f there is even a

27 1 fair possibility that the stay for which [the requesting party] prays will work damage to
[someone] 2 else,” then the party seeking a stay “must make out a clear case of hardship or
inequity in being 3 required to go forward.” Landis, 299 U.S. at 255. The decision whether to
grant a Landis stay is 4 ultimately within the Court’s discretion. See Dependable Highway
Express, Inc. v. Navigators 5 Ins. Co., 498 F.3d 1059, 1066 (9th Cir. 2007).

6 II. DISCUSSION

7 The Court declines to exercise its discretion to stay this matter. As Pharmavite notes, 8
“proceedings before the Ninth Circuit [in Bowler] are in early stages.” Mot. at 13. “[W]hile the 9
briefing schedule is set in the case, oral argument has not yet been scheduled and neither the 10
parties . . . nor the Court can forecast when the . . . Circuit will ultimately issue a decision.” 11
Lathrop v. Uber Techs., Inc., No. 14-cv-05678-JST, 2016 WL 97511 at *4 (N.D. Cal. Jan. 8, 12
2016). Moreover, there is no guarantee that the Ninth Circuit will issue a controlling decision in
13 Bowler, given the possibility of a memorandum disposition. “Judicial economy . . . is the
primary 14 basis courts consider when ruling on motions to stay.” Vance v. Google LLC, No.
5:20-CV- 15 04696-BLF, 2021 WL 534363, at *6 (N.D. Cal. Feb 12, 2021). And here, the
possibility of further 16 protracting this matter counsels against a stay. See Edwards v. Oportun,
Inc., 193 F. Supp. 3d 17 1096, 1101 (N.D. Cal. June 14, 2016); Johnson v. Starbucks Corp., No.
18-CV-01134-MEJ, 2018 18 WL 2938548, at *1 (N.D. Cal. June 12, 2018) (“[A] stay . . . is
appropriate when it serves the 19 interests of judicial economy and efficiency.”). Because this
factor is dispositive, the Court does 20 not address Defendant’s other arguments. See Gabriella v.
Recology Inc., No. 21-cv-08460-HSG, 21 2022 WL 6271866, at *5 (N.D. Cal. Sept. 9, 2022).
Accordingly, the Court denies Pharmavite’s 22 request.² The parties and the Court can assess the
ramifications of any decision in Bowler once the 23 Ninth Circuit rules. 24 // 25 // 26 // 27

1 WL. CONCLUSION

2 Pharmavite’s motion to stay proceedings pending resolution of the Bowler appeal, Dkt. No. 3 ||
□□□□ DENIED. 4 IT IS SO ORDERED. 5 Dated: 7/8/2025 | | 6 . ° HAYWOOD S. GILLIAM,
JR. 7 United States District Judge 8 9 10 11 12 15 QO 16 17 Z 18 19 20 21 22 23 24 25 26 27 28