

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES – GENERAL

Case No.	2:19-cv-10227-VAP-JEMx	Date	December 3, 2020
Title	<i>Michelene Colette et al. v. CV Sciences, Inc.</i>		

Present: The Honorable VIRGINIA A. PHILLIPS, UNITED STATES DISTRICT JUDGE

DAISY ROJAS

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

**Proceedings: MINUTE ORDER DENYING PLAINTIFFS' REQUEST TO LIFT STAY [DKT. 48]
(IN CHAMBERS)**

Before the Court is Defendant CV Sciences, Inc. ("Defendant") and Plaintiffs Michelene Colette and Leticia Shaw's ("Plaintiffs") Joint Status Report. (Dkt. 48). Plaintiffs request that the Court lift the stay imposed in the Court's May 22, 2020 Order. (Dkt. 46). Defendant maintains that a lift of the stay is premature. For the reasons set forth below, the Court declines to lift the stay.

Plaintiffs claim the stay should be lifted because the FDA "has no plans to legalize any CBD consumer products absent a formal drug approval process... [and] even in the highly unlikely event the FDA does make CBD supplements and food with CBD legal, it is certainly not going to do so retroactively." (Dkt. 48, at 2). Plaintiffs' arguments are speculative and unavailing. Plaintiffs have failed to provide any evidence supporting their statements about the FDA's alleged plans, or lack thereof, to legalize CBD. Accordingly, the case will remain STAYED until the FDA completes its rulemaking regarding the marketing, including labeling, of CBD ingestible products.

IT IS SO ORDERED.