

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UPTON’S NATURALS CO.; and)
THE PLANT BASED FOODS)
ASSOCIATION,)

Plaintiffs,)

-vs-)

Case No. CIV-20-938-F

KEVIN STITT, in his official capacity)
as Oklahoma Governor; and BLAYNE)
ARTHUR, in her official capacity as)
Oklahoma Commissioner of)
Agriculture,)

Defendants.)

ORDER

The court has been advised by its courtroom deputy that the parties have consented to a stay of the proceedings in this case pending resolution by the Tenth Circuit Court of Appeals of plaintiffs’ appeal of the court’s November 19, 2020 order denying plaintiffs’ preliminary injunction motion.


“It is well settled that the district court has the power to stay proceedings pending before it and to control its docket for the purpose of economy of time and effort for itself, for counsel, and for litigants.” Pet Milk Co. v. Ritter, 323 F.2d 586, 588 (10th Cir. 1963) (internal quotation marks omitted). “The granting of the stay ordinarily lies within the discretion of the district court.” *Id.*

Upon due consideration, the court finds that a stay of the proceedings in this case is in the interest of the court, counsel and the litigants and shall therefore exercise its discretion and stay the proceedings.

Accordingly, the proceedings in this case are **STAYED** pending resolution by the Tenth Circuit Court of Appeals of plaintiffs' appeal of the court's November 19, 2020 order denying plaintiffs' preliminary injunction motion.

For statistical purposes, the court clerk is **DIRECTED** to administratively close this action in her records pending resolution of plaintiffs' appeal. Upon receipt of the mandate from the appellate court, the court will reopen the case for further proceedings.

IT IS SO ORDERED this 11th day of December, 2020.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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