

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MICHAEL HARRIS

PLAINTIFF

V.

NO. 4:18-CV-248-DMB-JMV

THE KROGER CO., et al.

DEFENDANTS

FINAL JUDGMENT

In accordance with the Order entered this day, this case is **DISMISSED without prejudice** with the conditions that (1) should Harris re-file this action against Kroger, any discovery in this case be usable in the subsequent action; and (2) upon re-filing, Kroger may seek from Harris its reasonable attorney's fees for work and resources expended in this litigation which cannot "be easily carried over" to the subsequent litigation.

SO ORDERED, this 6th day of November, 2019.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE