

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOSEPH BAHGAT,

Plaintiff,

v.

**LEWIS HASTIE RECEIVABLES,
INC., et al.,**

Defendants.

Case No. 2:07-cv-1058

Judge Sargus

Magistrate Judge Deavers

ORDER


Presently before the Court is Plaintiff's Motion to Dismiss Case Pursuant to Federal Rule of Civil Procedure 41(a) (Doc. 38.). The Court hereby **GRANTS** Plaintiff's motion, and dismisses this action without prejudice, subject to the following conditions, which shall apply should Plaintiff ever re-file this action:

- 1) The Plaintiff will not be entitled to additional discovery;
- 2) The Plaintiff will be subject to deposition by Defendant Barclays Bank Delaware; and
- 3) The Plaintiff shall reimburse Defendant Barclays Bank Delaware the costs incurred on May 25, 2011, when counsel for Defendant was not made aware that Plaintiff would be unavailable for a scheduled deposition until after counsel for Defendant had traveled a considerable distance en-route to the site of the deposition.

The Clerk is directed to close this matter. Also, by operation of this order, Document 39 is rendered moot and is dismissed.

IT IS SO ORDERED.

6-7-2011
DATED


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE