

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION

THE KROGER CO.,

Plaintiff,

v.

THE FEDERAL TRADE COMMISSION,

et al.,

Defendants.

No. 1:24-cv-00438-DRC
Hon. Douglas R. Cole

JOINT STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and in light of the Federal Trade Commission's ("FTC") order dismissing the underlying administrative proceeding, *see* Order Dismissing Complaint, *In re Kroger Co.*, Dkt. No. 9428 (FTC Dec. 27, 2024) (attached as Exhibit A), Plaintiff The Kroger Company and Defendants the FTC and Lina M. Khan, Rebecca Kelly Slaughter, Alvaro Bedoya, Melissa Holyoak, and Andrew N. Ferguson, in their official capacities as Commissioners of the FTC, hereby stipulate to the dismissal of the above-caption case, with prejudice.

Dated: January 9, 2025

Respectfully submitted,

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