

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

HARRISON COUNTY, MISSISSIPPI;  
HANCOCK COUNTY, MISSISSIPPI;  
CITY OF BILOXI, MISSISSIPPI; CITY  
OF D'IBERVILLE, MISSISSIPPI;  
CITY OF WAVELAND, MISSISSIPPI;  
MISSISSIPPI HOTEL AND LODGING  
ASSOCIATION; MISSISSIPPI  
COMMERCIAL FISHERIES UNITED,  
INC.; PASS CHRISTIAN,  
MISSISSIPPI; CITY OF  
DIAMONDHEAD, MISSISSIPPI

PLAINTIFFS

v.

CAUSE NO. 1:19cv986-LG-RHW

MISSISSIPPI RIVER COMMISSION  
and U.S. ARMY CORPS OF  
ENGINEERS

DEFENDANTS

**FINAL JUDGMENT OF DISMISSAL AS TO CERTAIN  
CLAIMS PURSUANT TO FED. R. CIV. P 54(b)**

The Court, having granted the [16] Motion to Dismiss for Lack of Jurisdiction and Failure to State a Claim filed by the Mississippi River Commission and U.S. Army Corps of Engineers by Memorandum Opinion and Order,

**IT IS THEREFORE ORDERED AND ADJUDGED** that the [16] Motion to Dismiss for Lack of Jurisdiction and Failure to State a Claim filed by the defendants is **GRANTED**. All of the plaintiffs' claims against the Mississippi River Commission, as well as the plaintiff's National Environmental Policy Act claims against the United States Army Corps of Engineers, are **DISMISSED WITH PREJUDICE**. The plaintiffs' Magnuson-Stevens Act claims against the United States Army Corp of Engineers shall remain pending.

**IT IS FURTHER ORDERED AND ADJUDGED** that this Court hereby certifies this judgment as a final judgment pursuant to Fed. R. Civ. P. 54(b) because there is no just reason for delay.

**SO ORDERED AND ADJUDGED** this the 13<sup>th</sup> day of September, 2021.

*sl Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE