

The Court having been advised by the counsel for the parties that the aboveentitled action has been settled,

IT IS ORDERED that this action be and is hereby dismissed in its entirety without prejudice to the right, upon good cause being shown <u>within 45 days</u>, to reopen the action if settlement is not consummated.

DATED: October 12, 2012

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James V. Selna United States District Judge