be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety (90) days, with proof of service of a copy thereon on the opposing party, that the agreed consideration for the settlement has not been delivered, the foregoing order shall stand vacated and the actions shall forthwith be restored to the calendar for further proceedings as appropriate.

IT IS SO ORDERED.

Dated: June 14, 2012