

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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DANA NICHINSON,  
Plaintiff,

v.

1:12-CV-615  
(FJS/CFH)

GLENS FALLS HOSPITAL and  
THE UNITED STATES OF AMERICA,

Defendants.

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**JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT**

Counsel having advised the Court that the above entitled action has been settled, or is in the process of reaching a settlement, it is unnecessary for the action to remain active on the Court's calendar. Therefore, the Court hereby

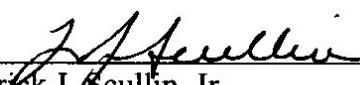
**ORDERS** that the action is **DISMISSED WITHOUT PREJUDICE**. The Court will retain jurisdiction to vacate this Judgment and reopen the action for good cause shown that the settlement was not consummated and that further litigation is necessary, upon a motion by any party **within 90 days from the date of this Judgment**; and the Court further

**ORDERS** that, if no motion is filed, the dismissal will become **WITH PREJUDICE** on the **91st day after the date of this Judgment**; and the Court further

**ORDERS** that, upon reaching a final settlement, the parties shall file with the Court a stipulation of discontinuance and/or a settlement agreement; and the Court further

**ORDERS** that the Clerk of the Court shall serve copies of this Judgment on all counsel via electronic means.

Date: December 10, 2014  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge