

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

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| <b>PETER H. HEINS</b>                                      | : | <b>CASE NO. 3:17cv110</b>   |
| <b>Plaintiff,</b>  | : |                             |
| <b>v.</b>  | : | <b>JUDGE WALTER H. RICE</b> |
| <b>COMMERCE AND INDUSTRY<br/>INSURANCE COMPANY, et al.</b> | : |                             |
| <b>Defendants.</b>   | : |                             |

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**ORDER OF DISMISSAL; TERMINATION ENTRY**


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The Court having been advised by counsel for the parties that the above matter has been settled, **IT IS ORDERED** that this action is hereby **DISMISSED**, with prejudice as to the parties, provided that any of the parties may, upon good cause shown **within 60 days**, reopen the action if settlement is not consummated.

Parties intending to preserve this Court’s jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry.

The Court will retain jurisdiction to enforce the terms of the settlement between the parties, if necessary.

**IT IS SO ORDERED.**

  
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 WALTER H. RICE, JUDGE  
 UNITED STATES DISTRICT COURT