

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

<b>MICHAEL J. CAVILL 2012 IRREVOCABLE LIVING TRUST</b>	:	<b>CASE NO. 3:17cv270</b>
	:	
<b>Plaintiff,</b>		<b>JUDGE WALTER H. RICE</b>
<b>v.</b>	:	
<b>BMC GROWTH FUND, LLC</b>	:	
<b>Defendant.</b>	:	


**ORDER OF DISMISSAL; TERMINATION ENTRY**

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.**

  
 \_\_\_\_\_  
 WALTER H. RICE, JUDGE  
 UNITED STATES DISTRICT COURT