

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

Mark Smith,	)	Civil Action No. 2:18-1522-RMG
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER AND OPINION</b>
	)	
United States of America,	)	
	)	
Defendant.	)	
_____	)	

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

**IT IS ORDERED** that this action is hereby dismissed without prejudice. If settlement is not consummated within sixty (60) days, either party may petition the Court to reopen this action and restore it to the calendar. Fed. R. Civ. P. 60(b). In the alternative, to the extent permitted by law, either party may within sixty (60) days petition the Court to enforce the settlement, and the Court specifically retains jurisdiction to enforce the settlement. *See Fairfax Countywide Citizens v. Fairfax Cnty.*, 571 F.2d 1299 (4th Cir. 1978). The dismissal hereunder shall be with prejudice if no action is taken under either alternative within sixty (60) days from the filing date of this order.

**AND IT IS SO ORDERED.**

/s/ Richard Mark Gergel  
Richard Mark Gergel  
United States District Court Judge

May 20, 2019  
Charleston, South Carolina