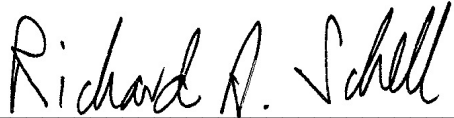


It was originally anticipated that the settlement would be funded prior to the September 12, 2012 hearing, however, due to issues with institutional lenders, such has not, as yet, occurred. Johnson and the Receiver, however, desire to close and fund the settlement in the near future with the approval of this court.

The court finds that finalizing the settlement, as memorialized in the Settlement Agreement, is in the best interest of the Receivership Estate.

Accordingly, it is **ORDERED** that provided the Settlement Sum (as defined in the Settlement Agreement) is received by the Receiver on or before October 16, 2012, the Receiver's Motion for an Order Approving Settlement (Doc.#508) is hereby **GRANTED** with the effective date being the date the Settlement Sum is received by the Receiver, so long as the Settlement Sum is received on or before October 16, 2012, and any claim of the Receivership Estate to the Property shall be satisfied, and the Show Cause Motion (Doc.#502) is **DISMISSED WITHOUT PREJUDICE** immediately effective on the date the Settlement Sum is received by the Receiver, so long as the Settlement Sum is received on or before October 16, 2012. In the event, however, that the Settlement Sum is NOT received by the Receiver on or before October 16, 2012, then the Settlement Agreement shall become null and void and the United States shall be free to seek to enforce its liens and claims against the Property in accordance with applicable law.

SIGNED this the 27th day of September, 2012.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE