

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

signed 7/30/02

TERRY J. INGRAM,
Plaintiff

v.

RENCOR CONTROLS, INC.,
Defendant

Civil No. 02-058-P-C

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge having filed with the Court on June 25, 2002, with copies to counsel, his Recommended Decision on Defendant's Motion to Dismiss (Docket No. 11); and Defendant having filed its objection thereto on July 15, 2002, (Docket No. 12), to which objection Plaintiff filed his response on July 26, 2002 (Docket No. 13); and this Court having reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; and this Court having made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision, and concurring with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, it is **ORDERED** as follows:

- (1) Defendant's objection is hereby **DENIED**;
- (2) The Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**;

- (3) Defendant's Motion to Dismiss is hereby **GRANTED** as to Count IV and those portions of Counts I and III that seek recovery of a bonus or are based on an alleged oral agreement reached in 1994, and it is otherwise **DENIED**.

The following claims set forth in the Amended Complaint remain viable:

- (a) the claim for stock set forth in Count I based on an alleged oral agreement reached in 1998;
- (b) the claims in Count II; and
- (c) the claim for stock set forth in Count III.

GENE CARTER
District Judge

Dated at Portland, Maine this 30th day of July, 2002.

TERRY J INGRAM
plaintiff

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v.

RENCOR CONTROLS INC
defendant

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