

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JEFFREY M. SMITH, ET AL.,)
)
 PLAINTIFFS)
)
 v.)
)
 OTIS ELEVATOR COMPANY,)
 ET AL.,)
)
 DEFENDANTS)

Civil No. 01-305-P-H

ORDER AFFIRMING RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the court on May 9, 2002, with copies to counsel, his Recommended Decision on Motion of Defendant The Bethel Commodore Corporation to Dismiss. The plaintiffs filed an objection to the Recommended Decision on May 23, 2002. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The motion of defendant Bethel Commodore to dismiss Counts IV and V of the Amended Complaint is **GRANTED**.

So ORDERED.

DATED: MAY 30, 2002.

**D. BROCK HORNBY
UNITED STATES CHIEF DISTRICT JUDGE**