

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JOHN BRIAND,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. ME 02-40-P-H
)	CIVIL No. NH 02-77-JD
KEVIN L. LAVIGNE,)	
)	
DEFENDANT)	

ORDER AFFIRMING RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the court on July 22, 2002, with copies to the parties, her Recommended Decision on Motion to Dismiss. The time within which to file objections expired on August 8, 2002, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendant Lavigne is **GRANTED SUMMARY JUDGMENT** on Count V of the Petition and the remaining five counts are **DISMISSED WITH PREJUDICE**.

So ORDERED.

DATED: AUGUST 14, 2002.

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