

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

**CATHOLIC CHARITIES OF
MAINE, INC.,**)
)
)
 PLAINTIFF)
)
v.)
)
CITY OF PORTLAND,)
)
 DEFENDANT)

CIVIL No. 03-55-P-H

**ORDER ON PLAINTIFFS REQUESTS FOR INJUNCTIVE RELIEF,
ATTORNEY FEES AND COSTS**

In my February 6, 2004, Order I declined to rule on Catholic Charities' request for injunctive relief and directed Catholic Charities to request a conference of counsel if it wished to press its request. The parties were asked to advise the court by February 20, 2004, if a conference of counsel was necessary. Catholic Charities did not request a conference of counsel. Accordingly, I now **DENY** its request for injunctive relief.

I also **DENY** Catholic Charities requests for costs and attorney fees. Catholic Charities prevailed only on part of Count I of its Amended Complaint; I granted summary judgment on the rest of Count I and on all of the remaining counts to the City. It is therefore appropriate that each party bear its own litigation expenses.

So ORDERED.

DATED THIS 16TH DAY OF APRIL, 2004

/s/**D. BROCK HORNBY**

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**U.S. DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CIVIL DOCKET FOR CASE #: 2:03CV55**

CATHOLIC CHARITIES MAINE INC.,
*as Plan Administrator of the Employee
Benefits of Catholic Charities of Maine,
Catholic Charities of Maine Flexible
Benefit Plan and for Catholic Charities of
Maine, Inc.*

Plaintiff

represented by **GENE R. LIBBY**
Verrill & Dana
Po Box 147
Kennebunk, ME 04043-0147
(207) 985-7193
email: glibby@verrilldana.com

v.

CITY OF PORTLAND

represented by **PATRICIA A. PEARD
RONALD W. SCHNEIDER, JR.**
Bernstein, Shur, Sawyer, & Nelson
P.O. Box 9729
Portland, ME 4104-5029
(207) 774-1200
email: ppeard@bssn.com
rschneider@bssn.com