

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

**ONE AND KEN VALLEY HOUSING)
GROUP, ET AL.,)**

PLAINTIFFS)

v.)

CIVIL No. 09-642-B-H

**MAINE STATE HOUSING)
AUTHORITY,)**

DEFENDANT)

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

On October 19, 2010, the United States Magistrate Judge filed with the court, with copies to counsel, her Recommended Decision on the defendant's motion to dismiss. The defendant filed an objection to the Recommended Decision on November 5, 2010. Oral argument was held on December 15, 2010.

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 recommendation of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary. I choose to follow the decision of my colleague, Judge Singal. See Mack Bros. v. Maine State Housing Auth., No. 2:10cv87-GZS (Docket Item 42).

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendant's motion to dismiss is **DENIED**.

SO ORDERED.

DATED THIS 15TH DAY OF DECEMBER, 2010

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (BANGOR)
CIVIL DOCKET NO. 1:09cv642 (DBH)**

**One and Ken Valley Housing
Group, et al.,**

Plaintiffs

Represented By **Harry J. Kelly, III**
Nixon Peabody LLP
401 Ninth Street, NW, Suite 900
Washington, DC 20004
(202) 585-8712
email: hkelly@nixonpeabody.com

Kristin M. Yassenka
W. Scott O'Connell
Nixon Peabody, LLP
900 Elm Street, 14th Floor
Manchester, NH 03101-2031
(603) 628-4000
email: kyassenka@nixonpeabody.com
soconnell@nixonpeabody.com

v.

Maine State Housing Authority,

Defendant

Represented By **Barry Paul Steinberg**
Law Office of Barry Paul Steinberg
1101 Connecticut Avenue NW
Suite 1000
Washington, DC 20036
(202) 828-2400
email:
barry.steinberg@kutakrock.com

John Bobrowiecki
Maine State Housing Authority
353 Water Street
Augusta, ME 04330-4633
(207) 626-4600
email:
jbobrowiecki@mainehousing.org