

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

SCARBOROUGH CITIZENS)
PROTECTING RESOURCES,)
ET AL.,)
 PLAINTIFFS)
))
v.)
))
UNITED STATES FISH AND)
WILDLIFE SERVICE, ET AL.,)
 DEFENDANTS)

CIVIL No. 10-315-P-H

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

On February 22, 2011, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision on Defendants' Motions to Dismiss. The plaintiffs filed an objection to the Recommended Decision on March 7, 2011. I have reviewed and considered the Recommended Decision, the objection and response, and the legal memoranda on the underlying motions, 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 the 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 defendants' motions to dismiss are **GRANTED**.

So ORDERED.

DATED THIS 28TH DAY OF MARCH, 2011

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

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CIVIL DOCKET NO. 2:10CV315 (DBH)**

**Scarborough Citizens Protecting
Resources,**

David T Paul,

Paul Austin,

and

Susan Dewitt Wilder,

Plaintiffs

v.

**United States Fish and Wildlife
Service,**

**United States Fish and Wildlife
Service Northeast Regional
Director,**

Governor, State of Maine,

**Maine Department of Inland
Fisheries and Wildlife
Commissioner,**

and

**Maine Department of
Environmental Protection
Commissioner,**

Defendants

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