

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ALLSTATE INSURANCE)	
COMPANY,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. 1:12-cv-38-DBH
)	
RUSSELL CHRETIEN,)	
)	
DEFENDANT)	

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

On November 5, 2013, the United States Magistrate Judge filed with the court, with copies to counsel, her Recommended Decision on cross-motions for summary judgment. Objection to the Recommended Decision was filed by the defendant on November 19, 2013, and by the plaintiff on November 22, 2013. 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 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 plaintiff's motion for summary judgment is **GRANTED IN PART**. Summary Judgment is **GRANTED** in favor of the plaintiff on Counts II, III, IV and V of the defendant's Counterclaim. Summary judgment is **GRANTED** in favor of the defendant on Counts VII and VIII of the plaintiff's Amended Complaint.

So ORDERED.

DATED THIS 12TH DAY OF DECEMBER, 2013

/s/D. BROCK HORNBY

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (BANGOR)
CIVIL DOCKET NO. 1:12-CV-38-DBH**

**Allstate Insurance Company,
Plaintiff**

Represented By **Bernard J. Kubetz**
Eaton Peabody
P.O. Box 1210
Bangor, ME 04402
(207) 947-0111
email: bkubetz@eatonpeabody.com

**J. Scott Humphrey
Kristine Argentine**
Seyfarth Shaw LLP
131 S. Dearborn Street, Suite 2400
Chicago, IL 60603
(312) 460-5528
email: shumphrey@seyfarth.com
kargentine@seyfarth.com

v.

**Russell Chretien,
Defendant**

Represented By **William D. Robitzek
Paul F. Macri**
Berman & Simmons, P.A.
P.O. Box 961
Lewiston, ME 04243
(207) 784-3576
email:
wrobitzek@bermansimmons.com
pmacri@bermansimmons.com