

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>JEFFREY C. BEARCE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>Case No. 1:13cv-00001-JDL</b>
<b>CITY OF WATERVILLE,</b>	)	
	)	
<b>Defendant.</b>	)	

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

The United States Magistrate Judge filed his Recommended Decision (ECF No. 28) with the court on June 30, 2014, pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). The plaintiff (“Bearce”) filed an Objection to the Recommended Decision (ECF No. 29) on July 17. The defendant filed a Response to the plaintiff’s Objection (ECF No. 30) on August 1. The parties participated in oral argument on September 4.

I have reviewed and considered the Magistrate Judge’s Recommended Decision, together with the entire record, and have made a de novo determination of all matters adjudicated by the Magistrate Judge’s Recommended Decision. Although I ultimately concur with the Magistrate Judge’s conclusions as set forth in his Recommended Decision and determine that no further proceeding is necessary, I do so with the following caveat: I do not adopt the Recommended Decision’s treatment of the report of Dr. John Bielecki (ECF No. 19-12), which is cited in support of the conclusion that “a reasonable jury could find that Dr. Bielecki found that [Bearce]



United States District Court  
District of Maine (Bangor)  
Civil Docket No. 1:13-cv-0001-JDL

**JEFFREY C. BEARCE,**  
  
**Plaintiff**

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v.

**CITY OF WATERVILLE,**  
  
**Defendant.**

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