

reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. Defendant Barridoff Gallerie's Motion for Summary Judgment (Docket No. 76) is GRANTED. Defendant Earle W. Noyes & Sons' and Defendant Dhyana Enterprises Incorporated's Motions for Summary Judgment (Docket Nos. 79 and 83) are DENIED.

/s/ George Z. Singal
Chief U.S. District Judge

Dated this 13th day of October, 2004.

**CERTAIN INTERESTED
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SUBSCRIBING TO POLICY
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