

**UNITED STATES DISTRICT COURT  
District of Maine**

|                            |   |                             |
|----------------------------|---|-----------------------------|
| <b>ITI HOLDINGS, INC.,</b> | ) |                             |
| <b>Plaintiff</b>           | ) |                             |
|                            | ) |                             |
| <b>v.</b>                  | ) |                             |
|                            | ) | <b>Civil No. 05-184-P-S</b> |
| <b>PROFESSIONAL SCUBA</b>  | ) |                             |
| <b>ASSOCIATION</b>         | ) |                             |
| <b>INC., et als.,</b>      | ) |                             |
|                            | ) |                             |
| <b>Defendant</b>           | ) |                             |

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

The United States Magistrate Judge filed with the Court on January 31, 2006, his Recommended Decision (Docket No. 31). Plaintiff filed its Objection to the Recommended Decision (Docket No. 32) on February 9, 2006. On February 17, 2006 Defendants H. Watts, J. Watts, Professional Scuba Association, Inc. and Professional Scuba Association LLC filed their Objection to the Recommended Decision (Docket No. 34). On February 27, 2006 all Defendants filed their response to Plaintiff's Objections (Docket No. 37). On February 27, 2006, Defendant Odom filed his Response to Objections (Docket No. 38). On March 8, 2006, Plaintiff filed its Response to Defendants' Objections (Docket No. 39).

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. The Motion to Dismiss for Lack of Personal Jurisdiction (Docket No. 19) is GRANTED

as to Defendants Professional Scuba Associations, Inc., Professional Scuba Association International LLC, Hal Watts, Janice Watts and Tools for Driving Education, Inc. and otherwise DENIED. The Motion to Dismiss for Failure to State a Claim on which relief may be granted is GRANTED as to Michael Ange, David Crockford, Joseph Odom and Joseph Keiser, the remaining Defendants. Defendants' alternative Motion for a More Definite Statement (part of #19) and the Plaintiff's Motion to Transfer (Docket No. 23) are MOOT.

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

Dated this 9<sup>th</sup> day of March, 2006.

**ITI HOLDINGS INC**  
*doing business as*  
**TECHNICAL DIVING  
INTERNATIONAL**  
*doing business as*  
**SCUBA DIVING INTERNATIONAL**  
*doing business as*  
**EMERGENCY RESPONSE DIVING  
INTERNATIONAL**

represented by **DAVID G. CONCANNON**  
LAW OFFICES OF DAVID G.  
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ASSOCIATION INC**

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