

**UNITED STATES DISTRICT COURT
District of Maine**

EASTERN SEABOARD CONCRETE)	
CONSTRUCTION CO., INC., et al)	
)	
Plaintiffs)	
v.)	**Civil No. 08-37-P-S
)	
GRAY CONSTRUCTION INC., et al,)	
)	
Defendants)	
)	

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

The United States Magistrate Judge filed with the Court on April 18, 2008, her Recommended Decision (Docket No. 10). Plaintiff Eastern Seaboard Concrete Construction Co., Inc. filed its Objection to the Recommended Decision (Docket No. 11) on May 5, 2008. Defendants Gray Construction, Inc. and Travelers Casualty and Surety Co. of America filed their response to Plaintiff's Objection (Docket No. 12) on May 19, 2008.

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 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. It is hereby **ORDERED** that Defendant Gray Construction, Inc.'s and Travelers Casualty and Surety Co. of America's Motion to Vacate (Docket No. 1) is **GRANTED**.
3. It is hereby **ORDERED** that Plaintiff Eastern Seaboard's Cross-Motion to Confirm the Award Plus Interest (Docket No. 5) is **DENIED**.

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

Dated: May 23, 2008

Plaintiff

**EASTERN SEABOARD
CONCRETE CONSTRUCTION
CO INC**
USA for the use of

represented by **GAVIN G. MCCARTHY**
PIERCE, ATWOOD LLP
ONE MONUMENT SQUARE
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**EASTERN SEABOARD
CONCRETE CONSTRUCTION
CO INC**

represented by **GAVIN G. MCCARTHY**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

GRAY CONSTRUCTION INC

represented by **JOHN A. HOBSON**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**TRAVELERS CASUALTY AND
SURETY CO OF AMERICA**

represented by **JOHN A. HOBSON**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED