

**UNITED STATES DISTRICT COURT
District of Maine**

THOMAS M. BROOKS,

Plaintiff

v.

**LOCAL S7, INTERNATIONAL
ASSOCIATION OF MACHINISTS
AND AEROSPACE WORKERS,
AFL-CIO, et al.,**

Defendants

Civil No. 07-30-P-S

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

The United States Magistrate Judge filed with the Court on October 3, 2008, his Recommended Decision (Docket No. 75). Plaintiff filed his Objection to the Recommended Decision that denies Plaintiff's Motion for Extension of Time to file responses to Defendant BIW's Statement of Material Facts (Docket No. 77) on October 20, 2008. Plaintiff filed his Objection to the Recommended Decision (Docket No. 79) on October 20, 2008. Defendant Bath Iron Works filed its Objection to the Recommended Decision (Docket No. 80) on November 3, 2008. Defendant Local S7, International Association of Machinists and Aerospace Workers, AFL-CIO, (the "Union") filed its Objection to the Recommended Decision (Docket 81) on November 6, 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 his 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 Union's Motion to Strike (Docket No. 61) is **DENIED**.
3. It is hereby **ORDERED** that Plaintiff's Motion to Extend Time to File (Docket No. 65) is **GRANTED** as to Docket No. 54 and otherwise **DENIED**.
4. It is hereby **ORDERED** that Defendant Bath Iron Works' Motion for Summary Judgment (Docket No. 34) is **GRANTED**.
5. It is hereby **ORDERED** that Defendant Union's Motion for Summary Judgment (Docket No. 38) is **GRANTED**.

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

Dated: November 14, 2008

Plaintiff

THOMAS M BROOKS

represented by **JOHN R. LEMIEUX**
DESMOND & RAND, P.A.
55 STROUDWATER STREET
PO BOX 309
WESTBROOK, ME 04098
(207) 854-1218
Email: john@desmondrand.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**LOCAL S7 INTERNATIONAL
ASSOCIATION OF
MACHINISTS AND AEROSPACE**

represented by **JEFFREY NEIL YOUNG**
MCTEAGUE, HIGBEE, CASE,
COHEN, WHITNEY & TOKER,

WORKERS AFL-CIO

P.A.
FOUR UNION PARK
PO BOX 5000
TOPSHAM, ME 04086-5000
725-5581
Email: jyoung@me-law.com
ATTORNEY TO BE NOTICED

Defendant

BATH IRON WORKS INC

represented by **JEFFREY W. PETERS**
PRETI, FLAHERTY, BELIVEAU,
PACHIOS & HALEY, LLP
PO BOX 9546
PORTLAND, ME 04112-9546
443-5576
Email: jpeters@preti.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED