

**UNITED STATES DISTRICT COURT
District of Maine**

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|-------------------------------|---|-----------------------------|
| STEVEN JOHNSON, |) | |
| |) | |
| Plaintiff |) | |
| |) | |
| v. |) | Civil No. 07-188-P-S |
| |) | |
| TOWN OF GORHAM, et al, |) | |
| |) | |
| Defendant |) | |
| |) | |

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

The United States Magistrate Judge filed with the Court on October 31, 2008, his Recommended Decision (Docket No. 33). Defendants filed their Objection to the Recommended Decision (Docket No. 34) on November 18, 2008. Plaintiff filed his Response to Defendants' Objection to the Recommended Decision (Docket No. 35) on December 8, 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 Defendants' Motion for Summary Judgment (Docket No. 13) is **GRANTED** as to Counts I, VII-VIII, and X, and as to defendants Shepard,

the Town of Gorham, and the Gorham Police Department on Counts IX and XV; and otherwise **DENIED**.

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

Dated: December 23, 2008

Plaintiff

STEVEN JOHNSON

represented by **CLIFFORD STRIKE**
STRIKE, GOODWIN & O'BRIEN
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PORTLAND , ME 04103
878-5519
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LEAD ATTORNEY
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V.

Defendant

CITY OF GORHAM

represented by **EDWARD R. BENJAMIN , JR.**
THOMPSON & BOWIE
3 CANAL PLAZA
P.O. BOX 4630
PORTLAND , ME 04112
774-2500
Email:
ebenjamin@thompsonbowie.com
ATTORNEY TO BE NOTICED

Defendant

**GORHAM POLICE
DEPARTMENT**

represented by **EDWARD R. BENJAMIN , JR.**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

RONALD SHEPARD
*individually and as Chief of Police of
the Gorham Police Department*

represented by **EDWARD R. BENJAMIN , JR.**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

MICHAEL COFFIN
*individually and as an employee of
the Gorham Police Department*

represented by **EDWARD R. BENJAMIN , JR.**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

DEAN HANNON
*individually and as an employee of
the Gorham Police Department*

represented by **EDWARD R. BENJAMIN , JR.**
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ATTORNEY TO BE NOTICED

Defendant

MICHAEL NAULT
*individually and as an employee of
the Gorham Police Department*

represented by **EDWARD R. BENJAMIN , JR.**
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ATTORNEY TO BE NOTICED

Defendant

BENJAMIN MORELAND
*individually and as an employee of
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ATTORNEY TO BE NOTICED