

**UNITED STATES DISTRICT COURT
District of Maine**

MARY A. FONTAINE,)	
)	
Plaintiff)	
)	
v.)	Civil No. 08-429-P-S
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security, et al,)	
)	
Defendants)	

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

The United States Magistrate Judge filed with the Court on May 27, 2009, his Recommended Decision (Docket No. 57). Plaintiff filed her Objection to the Recommended Decision (Docket No. 61) on June 16, 2009. Defendants filed their Response to Plaintiff's Objection to the Recommended Decision (Docket No. 63) on June 17, 2009. In addition, Plaintiff filed a Motion for a Decision in Plaintiff's Favor (Docket No. 62) on June 16, 2009.

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 to Dismiss (Docket No. 29) is **GRANTED**.

3. It is hereby **ORDERED** that Defendants' Motions for Summary Judgment and to Substitute (Docket No. 32) are, therefore, **MOOT**.
4. It is hereby **ORDERED** that Plaintiff's Motion for a Decision in Plaintiff's Favor (Doc. No. 62) is hereby **DENIED**.

/s/George Z. Singal

U.S. District Judge

Dated: June 25, 2009

Plaintiff

MARY A FONTAINE

represented by **MARY A FONTAINE**
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V.

Defendant

**SOCIAL SECURITY
ADMINISTRATION
COMMISSIONER**

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Defendant

BARBARA NEWBAUER
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Defendant

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Defendant

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Defendant

ERIC HOCH
TERMINATED: 04/15/2009

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Defendant

OLYMPIA SNOWE
TERMINATED: 03/20/2009

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Defendant

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TERMINATED: 03/20/2009

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Defendant

SCOTT HOCH

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Interested Party

**SOCIAL SECURITY
ADMINISTRATION**