

**UNITED STATES DISTRICT COURT  
District of Maine**

<b>ALLYSSON A. CASTONGUAY,</b>	)	
	)	
<b>Plaintiff</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 08-222-P-S</b>
	)	
<b>BJME OPERATING CORPORATION</b>	)	
<b>and BJ'S WHOLESALE CLUB, INC.,</b>	)	
	)	
<b>Defendants</b>	)	

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

The United States Magistrate Judge filed with the Court on May 21, 2009, his Recommended Decision (Docket No. 36). Defendants filed their Objection to the Recommended Decision (Docket No. 38) on June 5, 2009. Plaintiff filed her Response to Defendant's Objection to the Recommended Decision (Docket No. 40) on June 22, 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 for Summary Judgment (Docket No. 24) is **DENIED**.

/s/George Z. Singal\_\_\_\_\_

U.S. District Judge

Dated: July 7, 2009

**Plaintiff**

**ALLYSSON A CASTONGUAY**

*also known as*

ALLEY

represented by **JOHN F. LAMBERT, JR.**

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V.

**Defendant**

**BJME OPERATING CORP**  
*doing business as*  
**BJ'S WHOLESALE CLUB**

represented by **DAMON P. HART**  
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**Defendant**

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