

**UNITED STATES DISTRICT COURT  
District of Maine**

**FAXON & BOOTH GOLF DESIGN,  
LLC,** )  
 )  
 )  
 **Plaintiff** )

**Civil No. 09-135-P-S**

**v.** )  
 )  
 **SOUTH SHORE TRI-TOWN** )  
 **DEVELOPMENT CORPORATION,** )  
 )  
 **Defendants** )

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

The United States Magistrate Judge filed with the Court on June 29, 2000, his Recommended Decision (Docket No. 21). Plaintiff filed its Objection to the Recommended Decision (Docket No. 22) on July 8, 2009. Defendant, LNR South Shore, LLC, filed its Objection to the Recommended Decision (Docket No. 23) on July 17, 2009. Defendant, LNR South Shore LLC, filed its Response to Plaintiff's Objection to the Recommended Decision (Docket No. 24) on July 27, 2009. Plaintiff filed its Response to Defendant, LNR's Objection to the Recommended Decision (Docket No. 25) on August 3, 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 Defendant LNR's Motion to Dismiss at to Count II (Docket No. 16) is **GRANTED** and otherwise **DENIED**.

/s/George Z. Singal

U.S. District Judge

Dated: August 4, 2008

**Plaintiff**

**FAXON AND BOOTH GOLF  
DESIGN LLC**

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V.

**Defendant**

**SOUTH SHORE TRI-TOWN  
DEVELOPMENT  
CORPORATION**

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**Defendant**

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