

**UNITED STATES DISTRICT COURT  
District of Maine**

<b>BLUETARP FINANCIAL, INC.,</b>	)	
	)	
<b>Plaintiff</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 08-324-P-S</b>
	)	
<b>EASTERN MATERIALS</b>	)	
<b>CORPORATION,</b>	)	
	)	
<b>Defendant</b>	)	

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

The United States Magistrate Judge filed with the Court on July 24, 2009, his Recommended Decision (Docket No. 64). Defendant filed its Objection to the Recommended Decision (Docket No. 65) on August 10, 2009. Plaintiff filed its Response to Defendant's Objection to the Recommended Decision (Docket No. 66) on August 14, 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 Plaintiff's Motion for Summary Judgment (Docket No. 41) is **GRANTED**.

3. It is hereby **ORDERED** that Defendant's Motion for Summary Judgment (Docket No. 46) is **DENIED**.

/s/George Z. Singal

U.S. District Judge

Dated: August 17, 2008

**Plaintiff**

**BLUETARP FINANCIAL INC**

represented by **GAVIN G. MCCARTHY**  
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V.

**Defendant**

**EASTERN MATERIALS CORP**

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**Counter Claimant**

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V.

**Counter Defendant**

**BLUETARP FINANCIAL INC**

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