

**UNITED STATES DISTRICT COURT  
District of Maine**

<b>ANDREW SAWYER,</b>	)	
	)	
<b>Plaintiff</b>	)	
	)	
<b>v.</b>	)	<b>No. 2:10-cv-64-GZS</b>
	)	
<b>TD BANKNORTH, INC., et al,</b>	)	
	)	
<b>Defendants</b>	)	
	)	

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

The United States Magistrate Judge filed with the Court on April 12, 2011, his Recommended Decision (Docket No. 38). Plaintiff filed his Objection to the Recommended Decision (Docket No. 39) on April 29, 2011. Defendants filed their Opposition to Plaintiff's Objection to the Recommended Decision (Docket No. 40) on May 13, 2011.

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 Judgment (Docket No. 35) is **GRANTED**.

3. It is hereby **ORDERED** that Plaintiff's Motion for Judgment (Docket No. 34) is **DENIED**.

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

Dated this 16th day of May, 2011.

**Plaintiff**

**ANDREW SAWYER**

represented by **DAVID A. WEYRENS**  
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V.

**Defendant**

**TD BANK US HOLDING  
COMPANY**  
*TERMINATED: 08/02/2010*

represented by **JONATHAN SHAPIRO**  
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**Defendant**

**TD BANKNORTH INC**  
*also known as*  
**BANKNORTHS CHANGE OF  
CONTROL PROTECTION PLAN**

represented by **DAVID A. STROCK**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**BANKNORTH NA**

represented by **DAVID A. STROCK**  
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*ATTORNEY TO BE NOTICED*