

**UNITED STATES DISTRICT COURT
District of Maine**

CRAIG A. BROWN,)	
)	
Plaintiff)	
)	
v.)	2:10-cv-523-GZS
)	
MICHAEL FERRARA, et al.,)	
)	
Defendants)	
)	

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

The United States Magistrate Judge filed with the Court on April 28, 2011, her Recommended Decision (Docket No. 81). Defendant Richards & Cranston filed its Objection to the Recommended Decision (Docket No. 91) on May 6, 2011. Plaintiff filed his Objection to the Recommended Decision (Docket No. 105) on May 16, 2011. Defendants Town of Rockport, Robert Peabody, Mark Kelley and Wesley Butler filed their Objection to the Recommended Decision (Docket No. 111) on May 18, 2011. Defendant Ronson filed her Response to Plaintiff's Objection to the Recommended Decision (Docket No. 115) on May 23, 2011. Defendant Gale filed his response to Plaintiff's Objection to the Recommended Decision (Docket No. 118) on June 1, 2011.

The Court notes that the above-referenced Objections (Docket Nos. 111 and 115) assert that the Plaintiff's Objection to the Recommended Decision was not timely filed. Under the Court's current Time Computation Guidelines effective December 1, 2009, an objection to a Report and Recommended Decision shall be filed within 14 days of the filing of a Report and Recommended Decision, **plus** an additional three (3) days for mailing, for a total of seventeen (17) days. Therefore,

the Court **FINDS** that Plaintiff's Objection to the Recommended Decision (Docket No. 105) was timely filed on May 16, 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 her 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 Gusta Ronson's Motion to Dismiss (Docket No. 31) is **GRANTED** with prejudice as to all federal claims and without prejudice as to all supplemental state law claims under 28 U.S.C. § 1367(a), (c)(4).
3. It is hereby **ORDERED** that Defendant Jon C. Gale's Motion to Dismiss (Docket No. 32) is **GRANTED** with prejudice as to all federal claims and without prejudice as to all supplemental state law claims under 28 U.S.C. § 1367(a), (c)(4).
4. It is hereby **ORDERED** that Defendant Richards & Cranston Surveyors' Motion to Dismiss (Doc. No. 40) is **GRANTED** with prejudice as to all federal claims and without prejudice as to all supplemental state law claims under 28 U.S.C. § 1367(a), (c)(4).
5. It is hereby **ORDERED** that the Motion to Dismiss of Defendants Butler, Kelly, Peabody, and the Town of Rockport (Docket No. 36) is **GRANTED** with prejudice as to all claims, both federal and state, for failure to state a claim.

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

Dated this 7th day of June, 2011.

Plaintiff

CRAIG A BROWN

represented by **CRAIG A BROWN**
36 STONEHURST DRIVE
CAMDEN, ME 04843
Email: craigbrown5@yahoo.com
PRO SE

V.

Defendant

MICHAEL FERRARA

represented by **JOSEPH W. BAIUNGO**
LAW OFFICE OF JOSEPH W.
BAIUNGO
111A CHURCH STREET
BELFAST, ME 04915
(207) 338-6841
Email: joe@baiungo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

JAMES C. HUNT
ROBINSON, KRIGER &
MCCALLUM
12 PORTLAND PIER
PO BOX 568
PORTLAND, ME 04112-0568
(207) 772-6565
Email: jhunt@rkmlegal.com
ATTORNEY TO BE NOTICED

THOMAS R. KELLY
ROBINSON, KRIGER &
MCCALLUM
12 PORTLAND PIER
PO BOX 568
PORTLAND, ME 04112-0568
772-6565
Email: tkelly@rkmlegal.com
ATTORNEY TO BE NOTICED

Defendant

ATTORNEY JOSEPH BAIUNGA

represented by **JOSEPH W. BAIUNGO**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

CAMDEN, TOWN OF

represented by **FREDERICK F. COSTLOW**
RICHARDSON, WHITMAN,
LARGE & BADGER
P.O. BOX 2429
ONE MERCHANTS PLAZA, SUITE
603
BANGOR, ME 04402-2429
(207) 945-5900
Email: fcostlow@rwlb.com
ATTORNEY TO BE NOTICED

Defendant

ROCKPORT, TOWN OF

represented by **MARK V. FRANCO**
THOMPSON & BOWIE, LLP
THREE CANAL PLAZA
P.O. BOX 4630
PORTLAND, ME 04112
(207) 774-2500
Email:
mfranco@thompsonbowie.com
ATTORNEY TO BE NOTICED

Defendant

ROBERTA SMITH

*in her individual and official capacity
as Camden Town Manager*

represented by **FREDERICK F. COSTLOW**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

ROBERT PEABODY

*in his individual and official capacity
as Rockport Town Manager*

represented by **MARK V. FRANCO**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

PHIL ROBERTS

*in his individual and official capacity
as Police Chief for the Town of
Camden*

represented by **FREDERICK F. COSTLOW**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

MARK KELLEY

*in his individual and official capacity
as Police Chief for the Town of*

represented by **MARK V. FRANCO**
(See above for address)
ATTORNEY TO BE NOTICED

Rockport

Defendant

JEFF NIMS
*in his individual and official capacity
as Zoning Officer for the Town of
Camden*

represented by **FREDERICK F. COSTLOW**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

ATTORNEY ERIC MORSE

represented by **JOSEPH W. BAIUNGO**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

ATTORNEY JON GALE

represented by **LEE H. BALS**
MARCUS, CLEGG & MISTRETТА,
P.A.
ONE CANAL PLAZA, SUITE 600
PORTLAND, ME 04101-4102
(207) 828-8000
Email: lbals@mcm-law.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

RANDY GAGNE
*in his individual and official capacity
as Police Sargeant for the Town of
Camden*

represented by **FREDERICK F. COSTLOW**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

CURT ANDRICK
*in his individual and official capacity
as Police Officer for the Town of
Camden*

represented by **FREDERICK F. COSTLOW**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

JASON HALL
*in his individual and official capacity
as Police Sargeant for the Town of
Camden*

represented by **FREDERICK F. COSTLOW**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

WESLEY BUTLER

represented by **MARK V. FRANCO**

*in his individual and official capacity
as Police Officer for the Town of
Rockport*

Defendant

NATHANIEL BEALE

represented by **NATHANIEL BEALE**
Email: ngb2286@aol.com
PRO SE

(See above for address)
ATTORNEY TO BE NOTICED

Defendant

COFFIN ENGINEERING

represented by **JASON P. DONOVAN**
THOMPSON & BOWIE, LLP
THREE CANAL PLAZA
P.O. BOX 4630
PORTLAND, ME 04112
207-772-2500
Email:
jdonovan@thompsonbowie.com
ATTORNEY TO BE NOTICED

REBECCA H. FARNUM
THOMPSON & BOWIE, LLP
THREE CANAL PLAZA
P.O. BOX 4630
PORTLAND, ME 04112
774-2500
Email:
rfarnum@thompsonbowie.com
ATTORNEY TO BE NOTICED

SEAN M. FARRIS
FARRIS LAW FIRM
P.O. BOX 120
251 WATER STREET
GARDINER, ME 04345
207-582-3650
Fax: 207-582-2156
Email: smfarris@farrislaw.com
ATTORNEY TO BE NOTICED

Defendant

**RICHARDS AND CRANSTON
SURVEYORS**

represented by **DAVID J. PERKINS**
PERKINS OLSON
30 MILK STREET
PO BOX 449

PORTLAND, ME 04112-0449
207-871-7159
Email: dperkins@perkinsolson.com
ATTORNEY TO BE NOTICED

NATHAN QUINN COLLINS
PERKINS OLSON
30 MILK STREET
PO BOX 449
PORTLAND, ME 04112-0449
207-871-7159
Email: qcollins@perkinsolson.com
ATTORNEY TO BE NOTICED

Defendant

PARKER LAITE, JR
*in his individual and official capacity
as City Selectman for the Town of
Camden*

represented by **FREDERICK F. COSTLOW**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

PARKER LAITE, SR
*in his individual and official capacity
as City Selectman for the Town of
Camden*

represented by **FREDERICK F. COSTLOW**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

GUSTA RONSON

represented by **GUSTA RONSON**
GOOD DEEDS INC
109 MAIN STREET
PO BOX 587
BELFAST, ME 04915
PRO SE