

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

MICHAEL McCUE, )  
)  
Plaintiff, )  
v. ) No. 1:14-cv-00098-GZS  
)  
CITY OF BANGOR, et als., )  
)  
Defendants )

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

No objections having been filed to the Magistrate Judge's Amended Recommended Decision (ECF No. 44) filed July 28, 2014, the Amended Recommended Decision is **AFFIRMED**.

Accordingly, it is **ORDERED** that Defendants' Amended Joint Motion to Dismiss (ECF No. 30) is **DENIED**.

/s/ George Z. Singal  
United States District Judge

Dated this 19<sup>th</sup> day of August, 2014.

**Plaintiff**

**MICHAEL MCCUE**  
*Individually and as Personal  
Representative of the estate of  
Phillip McCue, Deceased*

represented by **DAVID J. VAN DYKE**  
HORNBLLOWER, LYNCH,  
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**LEAD ATTORNEY**  
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**CARL D. MCCUE**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**CITY OF BANGOR MAINE**

represented by **FREDERICK J. BADGER , JR.**  
RICHARDSON, WHITMAN,  
LARGE & BADGER  
P.O. BOX 2429  
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**JOSHUA AARON RANDLETT**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**BANGOR MAINE POLICE  
DEPARTMENT**  
*TERMINATED: 05/29/2014*

represented by **FREDERICK J. BADGER , JR.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**JOSHUA AARON RANDLETT**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**OFFICER KIM DONNELL**  
*Individually and in her official  
capacity as an officer of the  
Bangor Police Department*

represented by **FREDERICK J. BADGER , JR.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**JOSHUA AARON RANDLETT**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**OFFICER RYAN JONES**  
*Individually and in his official  
capacity as an officer of the  
Bangor Police Department  
TERMINATED: 07/14/2014*

represented by **FREDERICK J. BADGER , JR.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**JOSHUA AARON RANDLETT**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**OFFICER WADE BETTERS**  
*Individually and in his official  
capacity as an officer of the  
Bangor Police Department*

represented by **FREDERICK J. BADGER , JR.**  
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*ATTORNEY TO BE NOTICED*

**JOSHUA AARON RANDLETT**  
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**Defendant**

**OFFICER JOSHUA KUHN**  
*Individually and in his official  
capacity as an officer of the  
Bangor Police Department*

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**JOSHUA AARON RANDLETT**  
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**Defendant**

**OFFICER DAVID FARRAR**  
*Individually and in his official  
capacity as an officer of the  
Bangor Police Department*

represented by **FREDERICK J. BADGER , JR.**  
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**JOSHUA AARON RANDLETT**  
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**Defendant**

**OFFICER CHRIS  
BLANCHARD**  
*Individually and in his official  
capacity as an officer of the  
Bangor Police Department*

represented by **FREDERICK J. BADGER , JR.**  
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**JOSHUA AARON RANDLETT**  
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**Defendant**

**BANGOR MAINE  
RESPONDING POLICE  
OFFICERS JOHN AND/OR  
JANE DOES 1 - 10**  
*TERMINATED: 07/14/2014*

**Defendant**

**BANGOR MAINE  
SUPERVISING POLICE  
OFFICERS JOHN AND/OR  
JANE DOES 1 - 10**  
*TERMINATED: 07/14/2014*

**Defendant**

**BANGOR MAINE  
RESPONDING FIRE  
DEPARTMENT OFFICERS  
JOHN AND/OR JANE DOES 1  
- 10**  
*TERMINATED: 07/14/2014*

**Defendant**

**TASER INTERNATIONAL  
INC**  
*TERMINATED: 07/28/2014*

represented by **ISAIAH FIELDS**  
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