

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

KATHERINE M. CADY, as Personal)	
Representative of the Estate of Paul)	
Victor Galambos III,)	
)	
Plaintiff,)	Civil no. 2:10-cv-000512-NT
)	
v.)	
)	
CUMBERLAND COUNTY JAIL et)	
al.,)	
)	
Defendants.)	

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

The United States Magistrate Judge filed with the Court on September 7, 2012 her Order denying the Plaintiff’s Motion to Amend (Doc. # 86). The Plaintiff had sought to amend her complaint for the fourth time to add two defendants who were working for the Defendant Corizon, Inc. The Plaintiff filed an Objection on September 21, 2012 (Doc. # 96) to the United States Magistrate Judge’s Order. Four of the Defendants, identified in this case as the “Corizon Defendants,” filed a Response on October 9, 2012 (Doc. # 97).

“[A] motion to amend a complaint is ‘a pretrial matter not dispositive of a claim or defense of a party’ within the purview of Fed. R. Civ. P. 72(a).” *Pagano v. Frank*, 983 F.2d 343, 346 (1st Cir. 1993) (citations omitted). Fed. R. Civ. P. 72(a) provides:

When a pretrial matter not dispositive of a party’s claim or defense is referred to a magistrate judge to hear and decide, the magistrate judge

must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision. A party may serve and file objections to the order within 14 days after being served with a copy. A party may not assign as error a defect in the order not timely objected to. The district judge in the case must consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law.

I have reviewed and considered the Magistrate Judge's Order, together with the entire record; I have determined that the Magistrate Judge's Order is not clearly erroneous or contrary to law; I concur with that Order for the reasons set forth therein; and I determine that no further proceeding is necessary.

It is therefore ORDERED that the Decision of the Magistrate Judge is hereby AFFIRMED.

SO ORDERED.

/s/ Nancy Torresen
NANCY TORRESEN
UNITED STATES DISTRICT JUDGE

Dated this 11th day of October, 2012.

Plaintiff

KATHERINE M CADY
*as Personal Representative of the
Estate of Paul Victor Galambos III*

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V.

Defendant

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Defendant

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Defendant

DOES

Defendant

MAINE MEDICAL CENTER
TERMINATED: 07/21/2011

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Defendant

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Defendant

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Defendant

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TERMINATED: 09/08/2011

Defendant

MICHAEL WATTS, RES-MD

TERMINATED: 09/08/2011

Defendant

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