

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

MICHELE PERKINS, Personal )  
Representative of the Estate )  
of Guy Perkins, )  
)  
Plaintiff, )  
)  
v. ) Civil No. 04-172-B-W  
)  
UNITED STATES AVIATION )  
UNDERWRITERS INC., d/b/a )  
UNITED STATES AIRCRAFT )  
INSURANCE GROUP, )  
)  
Defendant. )

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

The United States Magistrate Judge filed with the Court on August 5, 2005 her Recommended Decision. The Plaintiff filed her objections to the Recommended Decision on August 18, 2005 and the Defendant filed its response to those objections on September 19, 2005. 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 further ORDERED that the Plaintiff's Motion for Summary Judgment (Docket No. 13) be and hereby is GRANTED IN PART by DISMISSING the Defendant's Counterclaim.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 13th day of October, 2005

**Plaintiff**

**MICHELE PERKINS**  
*As personal representative of the  
ESTATE OF GUY PERKINS*

represented by **TYLER N. KOLLE**  
**BERMAN & SIMMONS, P.A.**  
P. O. BOX 961  
LEWISTON, ME 04243  
784-3576  
Email:  
tkolle@bermansimmons.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES AVIATION  
UNDERWRITERS INC**  
*doing business as*  
**UNITED STATES AIRCRAFT  
INSURANCE GROUP**

represented by **JAMES G. GOGGIN**  
**VERRILL & DANA**  
1 PORTLAND SQUARE  
P.O. BOX 586  
PORTLAND, ME 04112-0586  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**PETER S. BLACK**  
**VERRILL & DANA**

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*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**UNITED STATES AVIATION  
UNDERWRITERS INC**  
*TERMINATED: 10/13/2005*

represented by **JAMES G. GOGGIN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant**

**MICHELE PERKINS**  
*As personal representative of the  
ESTATE OF GUY PERKINS*  
*TERMINATED: 10/13/2005*

represented by **PHILLIP E. JOHNSON**  
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*ATTORNEY TO BE NOTICED*

**TYLER N. KOLLE**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*