

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

CANDICE E. TESTA,)
)
 Plaintiff,)
)
 v.) Civil No. 04-185-B-W
)
 TOWN OF MADISON,)
)
 Defendant.)

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

The United States Magistrate Judge filed with the Court on September 26, 2005 her Recommended Decision. The Plaintiff filed her objection to the Recommended Decision on October 11, 2005 and the Defendant filed its response to those objections on October 28, 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 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 further ORDERED that the Defendant's Motion for Summary Judgment (Docket No. 20) is GRANTED on all claims.

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

Dated this 1st day of November, 2005

Plaintiff

CANDICE E TESTA

represented by **TRACIE L. ADAMSON**
LIPMAN, KATZ & MCKEE
P.O. BOX 1051
AUGUSTA, ME 04332-1051
(207) 622-3711
Email:
tadamson@lipmankatzmckee.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

SUMNER H. LIPMAN
LIPMAN, KATZ & MCKEE
P.O. BOX 1051
AUGUSTA, ME 04332-1051
207-622-3711
Email:
slipman@lipmankatzmckee.com
ATTORNEY TO BE NOTICED

V.

Defendant

MADISON, TOWN OF

represented by **CASSANDRA S. SHAFFER**
WHEELER & AREY, P.A.
27 TEMPLE STREET
P. O. BOX 376
WATERVILLE, ME 04901
207-873-7771
Email:
cshaffer@wheelerlegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

PETER T. MARCHESI
WHEELER & AREY, P.A.
27 TEMPLE STREET
P. O. BOX 376
WATERVILLE, ME 04901
873-7771
Email: pbear@wheelerlegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED