

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

CLARK'S CARS AND PARTS, INC.,)
)
 Plaintiff,)
)
 v.) Civil No. 04-208-B-W
)
 MONTICELLO INSURANCE COMPANY)
 and ST. PAUL FIRE AND MARINE)
 INSURANCE COMPANY,)
)
 Defendants.)

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

The United States Magistrate Judge filed with the Court on November 4, 2005 her Recommended Decision. The Plaintiff filed its objections to the Recommended Decision on November 23, 2005 and the Defendants filed their responses to those objections on December 12, 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 Plaintiff's Motion for Summary Judgment (Docket No. 30) be and hereby is DENIED.
3. It is further ORDERED that the Defendants' Motions for Summary Judgment (Docket Nos. 29 and 31) be and hereby are GRANTED.

SO ORDERED.

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

Dated this 14th day of December, 2005

Plaintiff

**CLARKS CARS AND PARTS
INC**

represented by **JEFFREY T. EDWARDS**
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BELIVEAU, PACHIOS &
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V.

Defendant

**MONTICELLO INSURANCE
COMPANY**

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Defendant

**ST PAUL FIRE AND MARINE
INSURANCE COMPANY**

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