

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

CYNTHIA MOON as Personal)
Representative of the Estate of)
Charles Edward Moon,)
)
Plaintiff,)
)
v.) CV-07-126-B-W
)
WEBBER OIL COMPANY, et al.,)
)
Defendants.)

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

No objection having been filed to the Magistrate Judge's Recommended Decision (Docket #23) filed January 10, 2008, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Motion to Dismiss certain remedies (Docket # 12) be and hereby is GRANTED, IN PART, to the limited extent that the parties agree that the claim for punitive damages under the ADA does not survive the Plaintiff's death. In all other respects, the Motion to Dismiss is DENIED.

SO ORDERED.

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

Dated this 5th day of February, 2008

Plaintiff

CYNTHIA MOON
*As personal representative of the
Estate of Charles Edward Moon*

represented by **PETER L. THOMPSON**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CHAD T. HANSEN
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

WEBBER OIL COMPANY

represented by **ANNE-MARIE L. STOREY**
RUDMAN & WINCHELL
84 HARLOW STREET
P.O. BOX 1401
BANGOR, ME 04401
(207) 947-4501
Email: astorey@rudman-
winchell.com
ATTORNEY TO BE NOTICED

DEBRA ANNE REECE
RUDMAN & WINCHELL
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Email: dreece@rudman-
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ATTORNEY TO BE NOTICED

Defendant

**WEBBER GROUP OF
COMPANIES**

represented by **ANNE-MARIE L. STOREY**
(See above for address)
ATTORNEY TO BE NOTICED

DEBRA ANNE REECE
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**WEBBER ENERGY FUELS-
PORTLAND**
doing business as
CHASE & KIMBALL

represented by **ANNE-MARIE L. STOREY**
(See above for address)
ATTORNEY TO BE NOTICED

DEBRA ANNE REECE
(See above for address)
ATTORNEY TO BE NOTICED

