

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

GORDON D. WARMAN, JR.,)
)
 Plaintiff,)
) CV-07-97-B-W
 v.)
)
 JAMES GIOIA, et al.,)
)
 Defendants.)

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

No objection having been filed to the Magistrate Judge's Recommended Decision filed May 8, 2008, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Motion for Summary Judgment (Docket # 15) on Warman's claims against Chief Toman and the City of Gardiner as contained within Count IV of the Complaint be and hereby is GRANTED. This will leave for future resolution Warman's claims against Officer James Gioia in Counts I – III.

SO ORDERED.

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

Dated this 28th day of May, 2008

Plaintiff

GORDON D WARMAN, JR

represented by **MICHAEL THEODORE
BIGOS
BERMAN & SIMMONS, P.A.
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V.

Defendant

JAMES GIOIA

represented by **JOHN J. WALL, III**
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ATTORNEY TO BE NOTICED

Defendant

**POLICE CHIEF, CITY OF
GARDINER**

represented by **JOHN J. WALL, III**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

GARDINER, CITY OF

represented by **JOHN J. WALL, III**
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