

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

LT. JOHN THOMAS BERRY,)
)
 Plaintiff,)
)
 v.) Civil No. 08-157-B-W
)
 LARRY COSTA, *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 #30) filed November 4, 2008, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that Defendants' Renewed Motion to Dismiss (Docket # 23) be and hereby is GRANTED and the Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE.

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

Dated this 26th day of November, 2008

Plaintiff

LT JOHN THOMAS BERRY represented by **DAVID J. VAN DYKE**
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V.

Defendant

LARRY COSTA

represented by **CHRISTOPHER D. HAWKINS**
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Defendant

**WORLDWIDE LANGUAGE
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represented by **CHRISTOPHER D. HAWKINS**
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