

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

BILLIE CASELLA,)	
)	
Plaintiff,)	
)	
v.)	CV-08-176-B-W
)	
MBNA MARKETING SYSTEMS, INC.)	
And BANK OF AMERICA, CORP.,)	
)	
Defendants.)	

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

The United States Magistrate Judge filed with the Court on June 9, 2009 her Recommended Decision (Docket # 70). Defendants filed their objections to the Recommended Decision on June 26, 2009 (Docket # 72) and the Plaintiff filed her response to those objections on July 24, 2009 (Docket # 77). The Court has reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record, and has made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision. The Court concurs with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge (Docket # 70) is hereby AFFIRMED;
2. It is further ORDERED that the Defendants' Motion for Summary Judgment (Docket # 30) be and hereby is GRANTED IN PART AND DENIED IN PART.

SO ORDERED.

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

Dated this 31st day of August, 2009

Plaintiff

BILLIE CASELLA

represented by **JEFFREY NEIL YOUNG**
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V.

Defendant

MBNA OF AMERICA INC
TERMINATED: 08/14/2008

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Defendant

**BANK OF AMERICA
CORPORATION**

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Defendant

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