

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ROGER DIEMMER WHITE,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. 01-153-B-H
)	
ROBERT D. MEADOR, ET AL.,)	
)	
DEFENDANTS)	

ORDER AFFIRMING RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the court on April 16, 2002, with copies to counsel, his Memorandum Decision on Defendants' Motion to Strike the Plaintiff's Designation of Expert Witnesses and Motion of Defendants Joyce and Mt. Desert Properties to Strike Plaintiff's Statement of Material Facts and Recommended Decision on Plaintiff's Motion for Partial Judgment on the Pleadings, Motion of Defendants Joyce and Mt. Desert Properties for Summary Judgment and Meador Defendants' Motion to Dismiss and for Summary Judgment. On April 24, 2002, defendants Joyce and Mt. Desert Properties filed an objection to the Recommended Decision and a request for reconsideration of ruling on their motion to strike designation of expert witnesses. The Meador defendants filed their objection to the Recommended Decision on May 1, 2002. The plaintiff filed his objection to the Recommended Decision on May 3, 2002. The parties have notified

the Court that the plaintiff and the Meador defendants have subsequently settled their disputes.

I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

The motion of defendants Joyce and Mt. Desert Properties for reconsideration of the ruling on their motion to strike designation of plaintiff's experts is **DENIED**. The Magistrate Judge's ruling is **AFFIRMED** as it is not clearly erroneous nor contrary to law.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED** with respect to the dispute between the plaintiff and the defendants Joyce and Mt. Desert Properties. The motion of defendants Joyce and Mt. Desert Properties for summary judgment is **GRANTED** as to Counts I, II, IV and VII of the First Amended Complaint and any claim for punitive damages, and is otherwise **DENIED**.

So ORDERED.

DATED: MAY 31, 2002.

D. BROCK HORNBY
UNITED STATES CHIEF DISTRICT JUDGE