

UNITED STATES DISTRICT COURT  
District of Maine

THOMAS E. BLACK, )  
)  
Plaintiff, )  
)  
vs. ) Civil No. 02-176-P-S  
)  
UNUMPROVIDENT CORPORATION, )  
and )  
UNUM LIFE INSURANCE COMPANY )  
OF AMERICA, )  
)  
Defendants. )

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

The United States Magistrate Judge filed with the Court on June 27, 2003 her Recommended Decision. The Defendants filed their objections to the Recommended Decision on July 16, 2003, and Plaintiff filed his response to those objections on August 15, 2003. I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
  
2. Due to the nature of the allegations, a summary judgment record should be developed. Defendants' Motion to Dismiss is DENIED.

/s/ George Z. Singal  
GEORGE Z. SINGAL  
Chief U.S. District Judge

Dated this 19<sup>th</sup> day of August, 2003.

**THOMAS E BLACK**

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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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CORPORATION**

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COMPANY OF AMERICA**

represented by **PATRICIA A. PEARD**  
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