

UNITED STATES DISTRICT COURT
District of Maine

DANIEL DONATELLI,)
)
 Plaintiff)
)
 v.) Civil No. 04-01-P-S
)
 UNUMPROVIDENT CORPORATION, et al.)
)
 Defendants

ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the Court on April 27, 2004 her Recommended Decision (Docket #39). The Plaintiff filed his objection to the Recommended Decision on May 14, 2004 (Docket #43) and Defendant White filed his response to that objection on June 2, 2004 (Docket #49). 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.

Defendant White's Motion to Dismiss on
jurisdictional grounds(Docket #5)is GRANTED.

Plaintiff's Motion for Leave to Conduct Discovery
and for an Evidentiary Hearing (Docket #19) is
DENIED.

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

Dated this 3rd day of June 2004.

DANIEL DONATELLI

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V.

Defendant

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THOMAS A H WHITE
TERMINATED: 06/03/2004

represented by **MARGARET C. LEPAGE**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

**UNUMPROVIDENT
CORPORATION**

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V.

Counter Defendant

DANIEL DONATELLI

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