

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ATLANTIC SALMON)	
FEDERATION U.S., et al.,)	
)	
Plaintiffs,)	
)	
v.)	1:21-cv-00257-JDL
)	
MERIMIL LIMITED)	
PARTNERSHIP, et al.,)	
)	
Defendants.)	

**ORDER ACCEPTING THE REPORT AND RECOMMENDED DECISION OF
THE MAGISTRATE JUDGE**

The Court issued an Order to Show Cause (ECF No. 63) because service of process had yet to be accomplished on Defendant Brookfield Renewable U.S. See Fed. R. Civ. P. 4(m). Defendants Merimil Limited Partnership, Hydro-Kennebec LLC, Brookfield White Pine Hydro LLC, and Brookfield Power US Asset Management LLC represent that “Brookfield Renewable U.S.” is a moniker referring to a group of companies and not a legal entity.

Plaintiffs Atlantic Salmon Federation U.S., Conservation Law Foundation, Maine Rivers, and the Natural Resources Council of Maine responded (ECF No. 64) to the Order to Show Cause, explaining that they had multiple concerns about proceeding without Brookfield Renewable U.S., including whether the other defendants have authority to implement any relief ordered by the Court. For that reason, the Plaintiffs requested in their response (1) permission to re-add two previously dismissed entities as defendants or (2) an order requiring Brookfield

Renewable U.S. to waive service and answer the complaint. The Plaintiffs also filed a motion (ECF No. 65) to re-add those same two entities. That motion was subsequently withdrawn (ECF No. 66) by the Plaintiffs because the Defendants reassured them that, if Brookfield Renewable U.S. were dismissed, the remaining defendants would have the authority to implement any injunctive relief ordered by the Court.

United States Magistrate Judge Karen Frink Wolf filed her Report and Recommended Decision (ECF No. 67) on the Order to Show Cause on May 16, 2022, pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2022) and Fed. R. Civ. P. 72(b). The time within which to file objections has expired, and no objections have been filed. The Magistrate Judge provided notice that a party's failure to object would waive the right to de novo review and appeal.

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

It is therefore **ORDERED** that the Report and Recommended Decision (ECF No. 67) of the Magistrate Judge is hereby **ACCEPTED**; the Second Amended Complaint (ECF No. 49) is **DISMISSED** as to Brookfield Renewable U.S.; and the Order to Show Cause (ECF No. 63) is **DEEMED MOOT**.

SO ORDERED.

Dated: July 7, 2022

/s/ JON D. LEVY
CHIEF U.S. DISTRICT JUDGE