## UNITED STATES DISTRICT COURT District of Maine

KATHARINE RICHARDSON,	)
Plaintiff	)
v.	) Civil No. 07-216-P-S
FRIENDLY ICE CREAM	)
CORPORATION, et al,	)
Defendant	)

## ORDER AFFIRMING THE RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the Court on September 19, 2008, his Recommended Decision (Docket No. 49). Plaintiff filed her Objection to the Recommended Decision (Docket No. 52) on October 3, 2008. Defendant filed its Response to Plaintiff's Objection to the Recommended Decision (Docket No. 53) on October 23, 2008.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a <u>de novo</u> 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 his 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. It is hereby **ORDERED** that Defendant's Motion for Summary Judgment (Docket No. 26) is **GRANTED**.

3.	It is hereby <b>ORDERED</b> that Defendant's Motion to Exclude certain testimony from
	Dr. Crowe (Docket No. 30) is MOOT for the purposes of consideration of the
	motion for summary judgment.

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

Dated: October 29, 2008