

**UNITED STATES DISTRICT COURT  
District of Maine**

<b>JOHN SPECKIN,</b>	)	
	)	
<b>Plaintiff</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 08-149-P-S</b>
	)	
<b>NESTLE WATERS NORTH AMERICA INC.,</b>	)	
	)	
<b>Defendant</b>	)	

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

The United States Magistrate Judge filed with the Court on February 24, 2009, his Recommended Decision (Docket No. 28). Defendant filed its Objection to the Recommended Decision (Docket No. 33) on March 13, 2009. Plaintiff filed his Opposition to Defendant's Objection to the Recommended Decision (Docket No. 34) on March 30 2009.

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 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. 11) is **GRANTED** as to Counts II and III of the Complaint and otherwise **DENIED**.

/s/George Z. Singal \_\_\_\_\_  
U.S. District Judge

Dated: April 2, 2009