

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

| | | |
|-------------------------------------|---|--------------------------------|
| MICHAEL RUSSO, |) | |
| |) | |
| PLAINTIFF |) | |
| |) | |
| v. |) | CIVIL No. 19-cv-324-DBH |
| |) | |
| VALMET INC. AND VALMET, INC. |) | |
| DEFINED BENEFIT PLAN, |) | |
| |) | |
| DEFENDANTS |) | |

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

On August 26, 2021, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision on Motion for Judgment on the Record and Motion for Summary Judgment. The plaintiff filed an objection to the Recommended Decision on September 8, 2021. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendants’ motion for judgment on the record on Count I of the Complaint is **GRANTED** and the plaintiff’s amended motion for judgment on the record on Count I of the Complaint is **DENIED**. The defendants’

motion for summary judgment on Count II of the Complaint is **GRANTED**. The defendants' motion for attorney fees and costs is **DENIED**.

SO ORDERED.

DATED THIS 27TH DAY OF SEPTEMBER, 2021

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE