

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

JOANNE M. MILLAY, *as parent of* )  
*minor child YRM,* )  
 )  
Plaintiff, )  
 )  
v. ) CV-09-411-B-W  
 )  
SURRY SCHOOL DEPARTMENT, )  
 )  
Defendants. )

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

The United States Magistrate Judge filed with the Court on December 22, 2009 her Recommended Decision (Docket # 25). Plaintiff filed her objections to the Recommended Decision on January 11, 2010 (Docket # 27) and the Defendants filed their response to those objections on January 20, 2010 (Docket # 30). The Court has reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record, and has made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision. The Court concurs with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge (Docket # 25) is hereby AFFIRMED;
2. It is further ORDERED that Defendant Surry School Department's Motion to Dismiss Counts II, III, and IV (Docket # 13) be and hereby is GRANTED; and,
3. It is further ORDERED that the Individual Defendants' Motion to Dismiss Count IV (Docket # 15) be and hereby is GRANTED.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 22nd day of January, 2010