

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>ALLSTATE INSURANCE</b>	)	
<b>COMPANY,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 1:12-cv-38-DBH</b>
	)	
<b>RUSSELL CHRETIEN,</b>	)	
	)	
<b>DEFENDANT</b>	)	

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

On November 5, 2013, the United States Magistrate Judge filed with the court, with copies to counsel, her Recommended Decision on cross-motions for summary judgment. Objection to the Recommended Decision was filed by the defendant on November 19, 2013, and by the plaintiff on November 22, 2013. 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 plaintiff's motion for summary judgment is **GRANTED IN PART**. Summary Judgment is **GRANTED** in favor of the plaintiff on Counts II, III, IV and V of the defendant's Counterclaim. Summary judgment is **GRANTED** in favor of the defendant on Counts VII and VIII of the plaintiff's Amended Complaint.

**So ORDERED.**

**DATED THIS 12<sup>TH</sup> DAY OF DECEMBER, 2013**

/s/D. BROCK HORNBY  
\_\_\_\_\_  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**