

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

<p>NATHAN YOUNG,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>TOWN OF BAR HARBOR,</p> <p style="text-align: center;">Defendant</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>No. 1:14-cv-146-GZS</p>
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**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objections having been filed to the Magistrate Judge's Recommended Decision (ECF No. 38) filed April 23, 2015, the Recommended Decision is **AFFIRMED**.

Accordingly, it is **ORDERED** that Defendant's Motion to Dismiss (ECF No. 25) is **GRANTED IN PART** in that Count I of the Amended Complaint (due process) is dismissed and that Count V (ADA) and Count VI (MHRA) of the Amended Complaint are dismissed for Plaintiff's failure to accommodate. It is **ORDERED** that Defendant's Motion is otherwise **DENIED**.

Finally, it is **ORDERED** that Plaintiff's Motion for Trial on the Facts (ECF No. 28) is **GRANTED**.

/s/ George Z. Singal
 United States District Judge

Dated this 13th day of May, 2015.