

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

URSA MAJOR UNDERGROUND, LLC,)	
)	
PLAINTIFF)	
)	
v.)	
)	
LIBERTY MUTUAL INSURANCE)	
COMPANY AND SCHMID PIPELINE)	
CONSTRUCTION, INC.,)	
)	
DEFENDANTS)	CIVIL No. 1:14-cv-162-DBH
)	CONSOL. w/1:14-cv-328-DBH
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UTILITY SERVICES AUTHORITY,)	
LLC,)	
)	
PLAINTIFF)	
)	
v.)	
)	
LIBERTY MUTUAL INSURANCE)	
COMPANY AND SCHMID PIPELINE)	
CONSTRUCTION, INC.,)	
)	
DEFENDANTS)	

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

On November 19, 2015, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision on Plaintiffs’ Motion for Summary Judgment. Objections to the Recommended Decision were filed by both the plaintiffs and defendants on December 7, 2015. 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 plaintiffs' motion for summary judgment is **GRANTED IN PART AND DENIED IN PART**. The plaintiffs are entitled to payment of their outstanding invoices without further delay (Counts I, II and III). The motion is **DENIED** with respect to the plaintiffs' claim for additional remedies under Maine's Prompt Payment Act (Count IV). In light of the reported settlement between the general contractor and the owner, the defendants shall **NOTIFY** the court by January 15, 2016, what if anything remains on the counterclaims.

SO ORDERED.

DATED THIS 4TH DAY OF JANUARY, 2016

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