

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

RICHARD B. FAGAN,)	
Plaintiff)	
)	
v.)	C.A. No. 11-cv-30184-MAP
)	
MASSMUTUAL LIFE)	
INVESTORS' SERVICES, INC.,)	
MASSMUTUAL FINANCIAL)	
GROUP, BRANDY ALEXANDER,)	
SERGIO FLORES, ERIN TOBIN,)	
and DOE DEFENDANTS YET)	
UNNAMED,)	
Defendants)	

MEMORANDUM AND ORDER RE:
REPORT AND RECOMMENDATION WITH REGARD TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
(Dkt. Nos. 45 & 65)

July 11, 2013

PONSOR, U.S.D.J.

Richard B. Fagan has brought this action pro se asserting claims arising out of his employment and eventual termination at MassMutual Life Investors' Services, Inc. ("MMLISI"). Plaintiff has also brought suit against MassMutual Financial Group, Brandy Alexander, Sergio Flores, Erin Tobin, and "Doe Defendants Yet Unnamed." The action was originally filed in state court but removed here by Defendants based on federal question jurisdiction.

Plaintiff's complaint asserts eighty separate causes of action, all relating to his treatment while employed as

MMLISI. Defendants filed a Motion for Summary Judgment (Dkt. No. 45), which was referred to Magistrate Judge Kenneth P. Neiman for a report and recommendation.

On May 24, 2013, Judge Neiman issued a meticulous Report and Recommendation addressing each of the claims in the case and the arguments favoring and opposing summary judgment. In the end, he concluded that the record was simply inadequate to support any of Plaintiff's claims, and he therefore recommended that Defendants' motion be allowed.

Plaintiff filed extensive objections to the Report and Recommendation. Unfortunately for Plaintiff, the objections do not raise any questions with regard to Judge Neiman's well supported conclusions.

Having reviewed the substance of the Report and Recommendation and finding it meritorious, the court, upon de novo review, hereby ADOPTS Judge Neiman's Report and Recommendation (Dkt. No. 65). The unavoidable conclusion is that all of Plaintiff's asserted claims lack either an adequate legal foundation or adequate factual support, or both. With this in mind, the court hereby ALLOWS Defendants' Motion for Summary Judgment (Dkt. No. 45). The clerk is ordered to enter a judgment for all Defendants. This case may now be closed.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge