

STATE OF MAINE
CUMBERLAND, ss.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-01-452

STATE OF MAINE,)
)
Plaintiff,)
)
v)
)
ALFRED L. VERDONE,)
)
)
Defendant.)

ORDER IMPOSING SANCTIONS AND
GRANTING JUDGMENT BY DEFAULT

This matter came before the Court upon Plaintiff's Motion for Sanctions pursuant to Rule 37 of the Maine Rules of Civil Procedure. The Motion, which was filed on June 3, 2002, contained the notice required under Rule 7 that failure to file opposition within twenty-one days would be deemed a waiver of all objections. The Defendant has not filed any opposition to the Motion. Accordingly, the Plaintiff's Motion for Sanctions is hereby GRANTED.

The Court imposes the following sanctions against the Defendant:

1. Judgment by default shall be entered against the Defendant with respect to Counts I through V of the Complaint.

2. The Court finds that, as alleged in Counts I through V, the Defendant intentionally engaged in unfair and deceptive acts and practices in the conduct of trade or business in violation of 5 M.R.S.A. § 201, the Defendant intentionally failed to make proper disclosures on home repair contracts and change orders in violation of 10 M.R.S.A. §§ 1487 and 1488, and the Defendant intentionally engaged in fraud.

3. The Defendant, Alfred L. Verdone (together with his officers, agents, servants, employees, attorneys, and those persons acting in concert with the Defendant

that receive actual notice of this Order), is permanently enjoined from contracting to perform any home repair services in Maine and from engaging in any violations of the Maine Unfair Trade Practices Act (5 M.R.S.A. § 207).

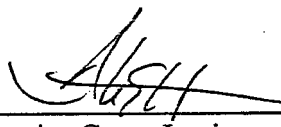
4. The Defendant shall pay a civil penalty to the Maine Department of Attorney General, to accrue to the Attorney General's fund to enforce the Maine Unfair Trade Practices Act pursuant to 5 M.R.S.A. §§ 203-A and 209, in the amount of \$45,000

5 The Defendant shall pay restitution to the Maine Department of Attorney General, to be distributed to the victims named in the Complaint, in the amount of \$54,323.

6. The Defendant shall pay reasonable attorneys fees to the Maine Department of Attorney General, to accrue to the General Fund for the State of Maine, in an amount to be determined.

SO ORDERED.

Dated: 7/15/02



Superior Court Justice