Fee Arbitration Commission Panel 1B

Otis D. Tosen

Petitioner

v.

Leonard I. Sharon, Esq.

Respondent

AWARD AND DETERMINATION

A hearing in this matter was held on August 3, 2018, in Portland, Maine before a duly authorized Fee Arbitration Panel of the Fee Arbitration Commission of the Board of Overseers of the Bar. This Panel was designated to hear the controversy existing between the parties as set forth in the Petitioner's Petition. The members of this Panel were Chair Steven E. Cope, Esq., Mary A. Davis, Esq., and public member Judith M. Conley. The Petitioner appeared pro se telephonically and testified. The Respondent appeared pro se in person and testified. Based upon the prior submitted documentary evidence, the testimonial and documentary evidence introduced at the hearing and the documentary evidence submitted following hearing as allowed by the Chair, the Panel finds as follows:

Measuring the findings with the factors set forth in Rules 1.5 of the Rules of Professional Conduct, the Panel finds that Petitioner has carried his burden to show that $7,500 of fees paid to Respondent are unreasonable. Therefore, Respondent owes Petitioner the sum of $7,500 and this sum is awarded to Petitioner.

In order to preserve the confidentiality of the documentary and testimonial evidence, the findings of fact and conclusions are not set forth in the Award and Determination. This Award and Determination is accompanied, however, by a Confidential Addendum that sets forth the findings of facts and conclusions of the Panel. By ruling of the Chair, the Confidential Addendum shall not be considered part
of the award, which is a public document. In accordance with Maine Bar Rule 7(h), the Confidential Addendum shall be confidential and shall not be open to the public or disclosed to any person except as otherwise set forth in Maine Bar Rule 7(h).

The Award and Determination is in full settlement of all claims submitted to the Arbitration Panel.

The undersigned has subscribed to this award on September 17, 2018.

Steven E. Cope, Esq.
Chair, Panel 1B
Fee Arbitration Commission