STATE OF MAINE
BOARD OF OVERSEERS OF THE BAR

Fee Arbitration Commission, Panel 2

Theresa Currie

Petitioner

v.

James M. Whittemore, Esq.

Respondent

AWARD AND DETERMINATION

A telephonic hearing in the above matter was held on September 11, 2019, in Augusta, 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 above named parties as set forth in the Petitioner's Petition. The members of this Panel were Chair Michael R. Poulin, Esq.; Carrie Folsom, Esq.; and public member Cheryl Brandt. The Petitioner was present by phone and testified. The Respondent did appear by phone and did file written submissions. Based upon the evidence introduced, the Panel finds as follows:

Petitioner paid Respondent a total of $8403.37 in fees and costs. Measuring the findings with the factors set forth in Rules 1.5 of the Rules of Professional Conduct, the Panel finds that the reasonable value of the services rendered by Respondent in this matter is $3400.00. Therefore, Respondent owes Petitioner the sum of $5003.37.

In order to preserve the confidentiality of the written materials and the testimony submitted at the hearing, the findings of fact and conclusions are not set forth in the Award and Determination. This Award and Determination is accompanied, however, by a separate supplemental document which sets forth the findings of facts and conclusions of the Panel. By ruling of the Chair, the attached supplemental document shall not be considered part of the award, which is a public document. In accordance with Maine Bar Rule 7(h), the supplemental document 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 October 2, 2019.

Michael R. Poulin, Esq.
Chair, Panel 2
Fee Arbitration Commission