The undersigned constitutes 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. A hearing was held on April 16, 2013, at Lewiston, Maine. The Petitioner was present and testified. The Respondent did appear and did file written submissions. Based upon the evidence introduced, the Panel finds as follows: The Respondent shall refund one half of the legal fee designated by Respondent as a “flat fee,” or $3,500.00 of the $7,000.00 net fee received, recognizing that $1,300.00 was utilized for costs from the $8,300.00 gross amount received by Respondent.

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 9(j), 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 9(j).

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

IN WITNESS WHEREOF, the undersigned has subscribed to this award on April 22, 2013.

Jon S. Oxman, Esq., Chair

Edward Rabasco, Esq.

Stephen W. Veazey