Fee Arbitration Commission, Panel 1A

 Scott B. Buzzell
      Petitioner

 v.

 Scott David Giese
      Respondent

AWARD AND DETERMINATION

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 designed to hear the controversy existing between the above named parties as set forth in the Petitioner’s Petition. A hearing was held on July 17, 2014, at Alfred, Maine. The Petitioner was present and testified. The Respondent did not appear and did not file any written submissions. Based upon the evidence introduced, the Panel finds as follows:

Attorney Giese is ordered to reimburse the Petitioner $1,500.

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 July 29, 2014.

Michael H. Ayotte, Esq.

Susan E. Driscoll, Esq.

Rick Dacri
STATE OF MAINE
BOARD OF OVERSEERS OF THE BAR

Fee Arbitration Commission, Panel 1A

Scott B. Buzzell
        Petitioner

v.

Scott David Giese
        Respondent

FAC# 14-149

CONFIDENTIAL ADDENDUM

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 designed to hear the controversy existing between the above named parties as set forth in the Petitioner’s Petition. A hearing was held on July 17, 2014, at Alfred, Maine. The Petitioner was present and testified. The Respondent did not appear and did not file any written submissions. Based upon the evidence introduced, the Panel finds as follows:

The Panel found Scott Buzzell’s testimony credible and compelling in support of his petition for a return of funds paid to Scott D. Giese, Esq. for legal services.

Attorney Scott D. Giese, Esq. did not file a written response to the petition nor did he or anyone else on his behalf appear to defend him.

The Petitioner paid for legal services to be performed by Attorney Giese that were never rendered. The Petitioner did agree that Mr. Giese earned his initial $100 consultation fee, which was paid separately.

IN WITNESS WHEREOF, the undersigned has subscribed to this award on July 29, 2014.

Michael H. Ayotte, Esq.

Susan E. Driscoll, Esq.

Rick Daci