STATE OF MAINE  
BOARD OF OVERSEERS OF THE BAR

Fee Arbitration Commission, Panel 1B

Michael E. Nagem  
Petitioner

v.

Gary M. Prolman  
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 designated to hear the controversy existing between the above named parties as set forth in the Petitioner's Petition. A hearing was held on September 9, 2014, at Portland, Maine. The Petitioner was not present. The Respondent appeared with witnesses. In the absence of Petitioner, the Panel accepted an offer of proof that the witnesses would testify as to the reasonableness of the fees charged by the Respondent. A fee agreement was signed and is part of the record filed by the Petitioner. Therefore, the burden was on the Petitioner to demonstrate the unreasonableness of the fees charged by the Respondent. Based upon the evidence introduced, the Panel finds that the Petitioner failed to carry his burden and that Respondent's fees were reasonable. In addition, the Panel finds that the Petitioner Michael Nagem shall pay to the Respondent forthwith the sum of Two Thousand Fourth Hundred and Twenty Dollars ($2,428.00), being the balance due to the Respondent for the work done for the Petitioner. SO ORDERED.

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

The undersigned have subscribed to this award on this 25th day of September, 2014.

Rufus E. Brown, Esq.

Daniel J. Mitchell, Esq.

Michael B. Reynolds