STATE OF MAINE
BOARD OF OVERSEERS OF THE BAR

Fee Arbitration Commission, Panel 3

FAC# 14-405

GERTRUDE E. AVERY,

Petitioner,

v.

DALE F. THISTLE,

Respondent.

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 December 16, 2014, at Augusta, Maine. Both Petitioner and Respondent appeared and testified. Respondent was represented by counsel, William Logan, Esq. Based upon the parties’ submissions and testimony, the Panel finds as follows:

Measuring the findings with the factors set forth in Rule 1.5 of the Rules of Professional Conduct, the Panel finds that Respondent has carried his burden to show that his fees and costs were reasonable.

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 have subscribed to this award on January 9, 2015.

Cathy A. DeMerchant, Panel Member

Michael J. Levy, Esq., Panel Member

Christopher L. Mann, Esq., Panel Chair