STATE OF MAINE
BOARD OF OVERSEERS OF THE BAR

Fee Arbitration Commission, Panel 4

FAC# 14-304

Wesley Scott Gnade
Petitioner

v.

AWARD AND DETERMINATION

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 on November 17, 2014, in Bangor, Maine. The Petitioner was present and testified. The Respondent and Respondent’s counsel appeared and filed written submissions. Based upon the evidence introduced, the Panel finds as follows:

Measuring the foregoing findings with the factors set forth in Rule 1.5 of the Rules of Professional Conduct, the Panel finds that Respondent has not carried his burden to show that the fees and costs charged to Petitioner were reasonable. Therefore, Respondent owes Petitioner the sum of $725.00.

In order to preserve the confidentiality of the written materials and the testimony submitted at the hearing, the finding 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.

The undersigned have subscribed to this award on January 15, 2015.

Edmond J. Bearor, Esq.
Panel Chair

P. Todd Lowell

Timothy Smith, CPA