STATE OF MAINE
BOARD OF OVERSEERS OF THE BAR

Fee Arbitration Commission, Panel 1A

Roney Temor
Petitioner

v.

James R. McDaniel II, Esq.
Respondent

AWARD AND DETERMINATION

The undersigned represents 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 November 2, 2016 at Biddeford, Maine. Both Petitioner and Respondent were present and testified. Witness Diane Temor also testified on behalf of Petitioner. The parties were provided opportunity to present all testimony and evidence, which they did to their satisfaction.

Based upon the evidence introduced, the Panel finds that the Respondent’s charges up to $1,800.00 were reasonable for the services rendered. The petition is therefore granted in part. Respondent shall return to Petitioner fees in the amount of $800.00, which amount the Panel finds were not reasonable for services rendered. This amount shall be reduced by $8.00 for costs incurred by Respondent. Total award to Petitioner is $792.00.

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 7(h), 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 7(h).

This 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 and Determination on November 2, 2016.

Susan E. Driscoll, Esq.
Panel 1A Chair
Fee Arbitration Commission