STATE OF MAINE
BOARD OF OVERSEERS OF THE BAR

Fee Arbitration Commission, Panel 2

Beverly A. Lavigne
Petitioner

v.

Neil S. Shankman, Esq.
Respondent

AWARD AND DETERMINATION

A hearing in the above matter was held on July 18, 2017, in Lewiston, Maine, before 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. The members of this Panel were Chair Nancy Macirowski, Esq.; Michael J. Colleran, Esq.; and public member Cheryl Brandt. Both parties provided pre-hearing written submissions. The Petitioner appeared and testified at the hearing. The Respondent did not appear, but his Business Manager, Carol Caron, attended and testified.

Based upon the evidence introduced, and considering the factors set forth in Rules 1.5 of the Rules of Professional Conduct, the Panel finds that Respondent’s fees charged to Petitioner were, in part, unreasonable. Therefore, Respondent owes Petitioner the sum of $347.00.

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 Confidential Addendum that sets forth the findings of facts and conclusions of the Panel. By ruling of the Chair, the Confidential Addendum shall not be considered part of the award, which is a public document. In accordance with Maine Bar Rule 7(h), the Confidential Addendum shall
not be open to the public or disclosed to any person except as otherwise set forth in Maine Bar Rule 7(h).

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

The undersigned has subscribed to this award on August 3, 2017.

[Signature]

Nancy Macirowski, Esq.
Acting Chair, Panel 2
Fee Arbitration Commission