A hearing in this matter was held on March 6, 2018, in Bangor, 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 Brett D. Baber, Esq., F. Todd Lowell, Esq., and public member Nancy Y. Harrison. The Respondent appeared and testified. The Petitioner, having been duly notified of the time, date, and place of the hearing pursuant to M. Bar R. 7, failed to appear. Based upon Respondent's testamentary evidence introduced at the hearing and the documentary evidence submitted by both parties prior to the hearing, the Panel finds as follows:

Measuring the findings with the factors set forth in Rules 1.5 of the Rules of Professional Conduct, the Panel finds that Karen Pooley has not carried her burden to show that Mr. Fethke's fees and costs are unreasonable. Therefore, Ms. Pooley owes Mr. Fethke the sum of $6,022.82.

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 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 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).

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

The undersigned has subscribed to this award on March 7, 2018.

[Signature]
Brétt D. Baber, Esq.
Chair, Panel 4
Fee Arbitration Commission