STATE OF MAINE
BOARD OF OVERSEERS OF THE BAR

Fee Arbitration Commission, Panel 4

Salvatore Guerrera

Petitioner

v.

Richard L. Rhoda, Esq.

Respondent

AWARD AND DETERMINATION

A hearing in this matter was held on August 16, 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 parties as set forth in the Petitioner’s Petition. The members of this Panel were Chair F. Todd Lowell, Esq.; Kenda Scheele, Esq.; and public member Nancy Y. Harrison. The Petitioner and the Respondent each appeared pro se and testified. The Respondent submitted two additional exhibits. Based upon the prior submitted documentary evidence, the testimonial evidence introduced at the hearing and the two exhibits submitted at 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 the Respondent has carried his burden to show that $1,500 of his fees is reasonable. Therefore, the Petitioner owes the Respondent the sum of $1,500.

In order to preserve the confidentiality of the documentary and testimonial evidence, 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 behalf of the Panel on August 28, 2018.

F. Todd Lowell, Esq.
Acting Chair, Panel 4
Fee Arbitration Commission