Fee Arbitration Commission, Panel 3  

Mario Gordon  

Petitioner  

v.  

Lisa W. Whittier, Esq.  

Respondent  

AWARD AND DETERMINATION  

A hearing in this matter was held on September 27, 2018, in Augusta, 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 Michael J. Colleran, Esq., Daniel J. Stevens, Esq., and public member Benjamin E. Murray. The Petitioner appeared pro se and testified via videoconference. The Respondent appeared pro se and testified in person. Based upon the prior submitted documentary evidence, the testimonial and documentary evidence introduced at the hearing, and a document the Petitioner was permitted to submit after 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 Petitioner Mario A. Gordon has not carried his burden to show that Respondent Lisa W.D. Whittier’s fees and costs were unreasonable. Therefore, the Respondent does not owe the Petitioner anything.

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 October 25, 2018.

Michael J. Colleran, Esq.
Acting Chair, Panel 3
Fee Arbitration Commission