

DAVID SLEEPER

v.

SCOTT RUFFNER

Submitted on Briefs December 1, 2011

Decided December 6, 2011

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, MEAD, GORMAN,  
and JABAR, JJ.

#### MEMORANDUM OF DECISION

Arbitrators from the Bangor Board of Realtors awarded an \$8200 commission from a home sale to David Sleeper. Scott Ruffner appeals from a judgment of the Superior Court (Penobscot County, *Anderson, J.*) confirming the Board's award against him. Sleeper cross-appeals from the Superior Court's award of less than the entire amount of contractual attorney fees he requested. We discern no error of fact or law in the Superior Court's decision that the statutory grounds for vacating an arbitration award were not present in this case. *See* 14 M.R.S. § 5938 (2010); *HL 1, LLC v. Riverwalk, LLC*, 2011 ME 29, ¶ 28, 15 A.3d 725. Further, the trial court correctly enforced the parties' contractual agreement in awarding attorney fees, and it did not abuse its discretion in awarding less than the amount Sleeper requested. *See Cheung v. Wu*, 2007 ME 22, ¶ 24, 919 A.2d 619 (citing *St. Hilaire & Assocs., Inc. v. Harbor Corp.*, 607 A.2d 905, 906-07 (Me. 1992)).

The entry is:

Judgment affirmed.

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**On the briefs:**

Arthur J. Greif, Esq., Gilbert & Greif, P.A., Bangor, for appellant Scott Ruffner

Christopher R. Largay, Esq., and Joseph M. Pickering, Esq., Largay Law Offices, P.A., Bangor, for appellee David Sleeper

Penobscot County Superior Court docket number CV-2009-99  
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