

MICHAEL C. MACDONALD

v.

SUSAN L. MACDONALD

Argued September 11, 2012  
Decided September 27, 2012

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

#### MEMORANDUM OF DECISION

Susan L. MacDonald appeals from an order of the District Court (Skowhegan, *Darvin, J.*) denying her motion to dismiss Michael C. MacDonald's motion for contempt and finding her in contempt of the parties' divorce judgment. The order left undecided, pending the receipt of further information the parties were ordered to provide, the amount of Michael's attorney fees the court would assess against Susan as a sanction for her contempt. Because, as the court specifically and correctly indicated in a telephonic conference with the parties, the order Susan appeals from is not a final judgment, and no exception to the final judgment rule applies, we dismiss this interlocutory appeal. *See* M.R. Civ. P. 54(b)(2); *Liberty v. Bennett*, 2012 ME 81, ¶ 15, 46 A.3d 1141.

In its discretion, on remand, and after hearing, the court is authorized to award Michael all or a portion of his attorney fees incurred in connection with this appeal as part of its contempt sanction.

The entry is:

Appeal dismissed.

**On the briefs and at oral argument:**

N. Laurence Willey, Jr., Esq., Willey Law Offices, Bangor, for appellant  
Susan L. MacDonald

Anthony P. Shusta II, Esq., Law Office of Anthony P. Shusta II, Madison,  
for appellee Michael C. MacDonald

Skowhegan District Court docket number FM-2005-46  
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