

KAREN A. LAQUALIA

v.

JOHN A. LAQUALIA

Submitted on Briefs November 28, 2012

Decided December 4, 2012

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

#### MEMORANDUM OF DECISION

Karen Laqualia appeals from the District Court's (Bangor, *Dobson, J.*) order on remand, following our decision in *Laqualia v. Laqualia*, 2011 ME 114, 30 A.3d 838.

Contrary to Karen's contentions, the court did not abuse its discretion in its distribution of marital property, *see Bond v. Bond*, 2011 ME 54, ¶ 15, 17 A.3d 1219, nor did the Premarital Agreement between the parties limit the court's discretion in distributing marital property, *see Foster v. Foster*, 609 A.2d 1171, 1172 (Me. 1992).

Nor did the court err in valuing the equity in the Bangor condominium. *See Bond*, 2011 ME 54, ¶ 10, 17 A.3d 1219. To the extent Karen argues that the property has a nonmarital component, as she did in the first appeal, the doctrine of res judicata precludes her from relitigating that issue. *See Laqualia*, 2011 ME 114, ¶ 20, 30 A.3d 838; *Twin Island Dev. Corp. v. Ross*, 522 A.2d 901, 902 (Me. 1987).

Finally, the court did not err in finding equity in the Florida property, in clarification of its earlier judgment and separate findings of fact, because there was

competent evidence in the record to support that finding. *See Bond*, 2011 ME 54, ¶ 10, 17 A.3d 1219. Contrary to Karen's contention, the court was not precluded from doing so by the doctrines of res judicata or law of the case. *See Gray v. TD Bank, N.A.*, 2012 ME 83, ¶ 10, 45 A.3d 735; *Blance v. Alley*, 404 A.2d 587, 589 (Me. 1979).

The entry is:

Judgment affirmed.

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**On the briefs:**

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