

DEBORAH J. MICHAELSEN

v.

RICHARD F. SPECHT

Submitted on Briefs January 30, 2012

Decided January 31, 2012

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

MEMORANDUM OF DECISION

Richard F. Specht appeals from a divorce judgment entered by the District Court (Wiscasset, *Tucker, J.*). Contrary to his contention, a careful review of the judgment demonstrates that the court did not err in valuing the marital residence and Deborah J. Michaelsen's 401(k) retirement plan as of a date earlier than the date of the divorce trial, because the court considered any increase in value in denying Deborah's request for an equalization payment from Richard. *See Laqualia v. Laqualia*, 2011 ME 114, ¶ 10, 30 A.3d 838 (stating that factual determinations concerning an asset's value are reviewed for clear error). Furthermore, given this record the court did not abuse its discretion in allocating the marital assets and debts. *See id.*; 19-A M.R.S. § 953(1) (2011) (requiring the court to "divide the marital property in proportions the court considers just after considering all relevant factors").

The entry is:

Judgment affirmed.

On the briefs:

Steven C. Peterson, Esq., West Rockport, for appellant Richard F. Specht

Philip S. Cohen, Esq., Cohen & Cohen, Waldoboro, for appellee Deborah J. Michaelson

Wiscasset District Court docket number FM-2009-77
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