

GAIL L. FERRY et al.

v.

BEVERLY A. LAVIGNE

Submitted On Briefs June 26, 2013
Decided July 2, 2013

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

MEMORANDUM OF DECISION

Beverly A. Lavigne appeals from an order entered in October of 2012 in the Superior Court (Franklin County, *Marden, J.*) granting Gail L. Ferry's motion, as trustee of the Roger J. Lavigne Revocable Trust, to enforce a 2010 order regarding the administration of the trust. Neither the 2010 order nor the 2012 order constitutes a final judgment from which an appeal may be taken, and Lavigne does not argue that any exception to the final judgment rule applies. *See Liberty v. Bennett*, 2012 ME 81, ¶ 15, 46 A.3d 1141; *Bruesewitz v. Grant*, 2007 ME 13, ¶¶ 5-9, 912 A.2d 1255. Indeed, we have already dismissed Lavigne's first attempt to appeal in the same matter, and, for reasons we cannot discern from the record, this nineteen-year-old matter is no more settled now than when we dismissed that first appeal in 2011.¹ *See Ferry v. Lavigne*, Mem-11-25 (Mar. 1, 2011) (stating that there are issues still to be decided "based on the results of the independent audit, including the disposition of trust funds, attorney fees, trustee fees, and possible sanctions").

¹ We decline to award sanctions against a party at this stage in the proceedings. *See* M.R. App. P. 13(f).

The entry is:

Appeal dismissed.

On the briefs:

Beverly A. Lavigne, appellant pro se

Joseph M. O'Donnell, Esq., Goodspeed & O'Donnell, Augusta,
for appellee Vivian A. Savage

Franklin County Superior Court docket number CV-1994-61
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