

FRANK M. JABLONSKI JR.

v.

THOMAS D. RENISON et al.

Argued September 9, 2014
Decided September 25, 2014

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

MEMORANDUM OF DECISION

Thomas D. Renison appeals from a judgment entered by the Superior Court (York County, *Brennan, J.*) following a nonjury trial. Contrary to Renison's contentions, the court did not err in finding him personally liable for a debt of Castle Lodge, LLC. *See Advanced Const. Corp. v. Pilecki*, 2006 ME 84, ¶ 10, 901 A.2d 189 ("Whether the corporate form should be disregarded involves factual findings that are reviewed for clear error."). Furthermore, competent evidence supports the court's award of damages based on the losses Jablonski sustained when he was not repaid under the terms of his agreement with Castle Lodge. *See Estate of Hoch v. Stifel*, 2011 ME 24, ¶ 43, 16 A.3d 137 (stating that this "Court's review of compensatory damages awards, the assessment of which is in the sole province of the fact-finder, is highly deferential" (quotation marks omitted)). Finally, the court did not err when it (1) denied Renison's untimely motion to permit a cross-claim against co-defendant Peter DiRosa, *see* M.R. Civ. P. 15(a), and (2) granted Jablonski's motion to dismiss his claims against DiRosa, *see* M.R. Civ. P. 41(a)(2).

The entry is:

Judgment affirmed.

On the briefs:

Thaddeus V. Day, Esq., Law Offices of Thaddeus V. Day,
P.L.L.C., Cumberland Center, for appellant Thomas D. Renison

Durward W. Parkinson, Esq., Bergen & Parkinson, LLC,
Kennebunk, for appellee Frank M. Jablonski Jr.

At oral argument:

John P. Simpson, Esq., Law Offices of Thaddeus V. Day,
P.L.L.C., Cumberland Center, for appellant Thomas D. Renison

Durward W. Parkinson, Esq., for appellee Frank M. Jablonski
Jr.