

GEORGE SARNO

v.

IRENE EUGEN

Argued January 15, 2014
Decided February 13, 2014

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

MEMORANDUM OF DECISION

Irene Eugen appeals from a judgment of the District Court (Biddeford, *Foster, J.*) granting a protection from harassment order to George Sarno and denying Eugen's complaint seeking a protection from abuse order against Sarno. 5 M.R.S. §§ 4651(2), 4655(1) (2013). Contrary to Eugen's contention, the court did not commit clear error in finding that she harassed Sarno. *See* 5 M.R.S. § 4651(2)(C); 17-A M.R.S. § 210-A(1)(A)(1) (2013). The trial court's detailed, thoughtful opinion provided more than sufficient foundation for the decision rendered. Moreover, the court did not abuse its discretion in limiting expert testimony, *see Searles v. Fleetwood Homes of Pa., Inc.*, 2005 ME 94, ¶¶ 21-24, 878 A.2d 509; or err in denying Eugen's motion to dismiss, *see* M.R. Civ. P. 12(b)(6); *McAfee v. Cole*, 637 A.2d 463, 465 (Me. 1994). The court did not abuse its discretion in denying Eugen's motion for a new trial, *see* M.R. Civ. P. 59(a); *Parker-Danner Co. v. Nickerson*, 554 A.2d 1193, 1195 (Me. 1989); abuse its discretion in declining to issue further findings of fact, considering its detailed, eight-page judgment, *see* M.R. Civ. P. 52(b); *Bayberry Cove Childrens' Land Trust v. Town of Steuben*, 2013 ME 35, ¶ 5, 65 A.3d 1188; or abuse its discretion in finding Eugen's complaint frivolous and awarding attorney fees to Sarno, which were reasonable and supported by the record, *see* 19-A M.R.S.

§ 4007(1)(L-1) (2013); *VanVoorhees v. Dodge*, 679 A.2d 1077, 1082 (Me. 1996). Finally, after consideration of the sanctions already imposed, we deny Sarno's motion for attorney fees and costs associated with the appeal. *See* M.R. App. P. 13(f).

The entry is:

Judgment affirmed.

On the briefs:

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George Sarno

At oral argument:

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Amy Robidas, Esq., for appellee George Sarno