

RITE AID HEADQUARTERS CORP.

v.

LORI D. BOND

Submitted on Briefs April 29, 2014  
Decided May 22, 2014

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

MEMORANDUM OF DECISION

After Lori D. Bond failed to retain new counsel or enter her appearance pro se, and failed to appear at a case management conference, the District Court (Waterville, *Dow, J.*) entered a default pursuant to M.R. Civ. P. 16A(d), and scheduled the matter for hearing on damages. Lori D. Bond appeals from an order of the District Court (Waterville, *Fowle, J.*), issued after hearing, denying her motion to set aside that default and entering judgment against her. Bond argues that she demonstrated good cause for her failures; she also asserts that she had a meritorious defense. *See Richter v. Ercolini*, 2010 ME 38, ¶ 15, 994 A.2d 404. Because the trial court is in a “superior position to evaluate the credibility and good faith of the parties who appeared before it,” we grant considerable deference to its determination of whether a party has demonstrated a good excuse for untimeliness. *Id.* (quotation marks and alteration omitted). The court did not abuse its discretion by concluding that Bond failed to establish a good excuse for her failure to enter her pro se appearance and appear at the case management conference. *See id.* ¶ 16. Because Bond did not provide a good excuse for her failure to appear, we need not address whether she had a meritorious defense. *See id.* ¶ 17.

The entry is:

Judgment affirmed.

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**On the briefs:**

Lori D. Bond, pro se appellant

Stanley Greenberg, Esq., Greenberg & Greenberg, P.A.,  
Portland, for appellee Rite Aid Headquarters Corp.