

PATRICK S. LAMBO et al.

v.

MARTIN'S POINT HEALTH CARE et al.

Submitted on Briefs May 26, 2016

Decided June 2, 2016

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

MEMORANDUM OF DECISION

Patrick S. Lambo and Pascasie H. Lambo appeal from the dismissal with prejudice of their medical negligence claim entered by the Superior Court (Cumberland County, *Cole, J.*) on Martin's Point Health Care and Dr. Matthew Belcher's motion to dismiss for failure to respond to discovery. *See* M.R. Civ. P. 37. The motion was generated by the Lambos' repeated refusal to respond to discovery requests, characterizing one discovery request as "nothing to us but insult." Unrepresented litigants are held to the same procedural standards as litigants represented by attorneys. *Edwards v. Campbell*, 2008 ME 173, ¶ 11, 960 A.2d 324; *Uotinen v. Hall*, 636 A.2d 991, 992 (Me. 1994). Contrary to the Lambos' contention, it was not an abuse of discretion for the court to dismiss their claim because of their refusal to respond to discovery requests or to attend case management conferences. *See* 24 M.R.S. § 2853(8)(B) (2015); M.R. Civ. P. 37(b)(2)(C); *Bayview Loan Servicing, LLC v. Bartlett*, 2014 ME 37, ¶ 10, 87 A.3d 741.

The entry is:

Judgment affirmed.

On the briefs:

Patrick S. Lambo and Pascasie H. Lambo, appellants pro se

Daniel Rapaport, Esq., and Timothy C. Connolly, Esq., Preti
Flaherty Beliveau & Pachios, LLP, Portland, for appellees
Martin's Point Health Care and Matthew Belcher

Cumberland County Superior Court docket number CV-2015-38
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