

DANIEL G. LILLEY et al.

v.

MARCUS, CLEGG & MISTRETTA, P.A., et al.

Argued February 8, 2017  
Decided February 23, 2017

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

## MEMORANDUM OF DECISION

Daniel G. Lilley and Daniel G. Lilley Law Offices, P.A. (collectively, “Lilley”), appeal from an interlocutory order entered in the Superior Court (Cumberland County, *Warren, J.*) denying their motion for attachment and trustee process against defendants Mary and Vaughn Sleeper. *See Libby O’Brien Kingsley & Champion, LLC v. Blanchard*, 2015 ME 101, ¶ 1 n.1, 121 A.3d 109 (“[O]rders granting or denying attachment and trustee process are immediately appealable pursuant to the collateral order exception to the final judgment rule.” (quotation marks omitted)). Based on the evidence presented, the court was not compelled to find that it was more likely than not that Lilley would succeed in the underlying lawsuit. *See* M.R. Civ. P. 4A(c), 4B(c); *Morton v. Miller*, 600 A.2d 395, 397 (Me. 1991) (“We will not disturb the court’s denial of [a motion for attachment] unless the evidence submitted in support of it compelled the court to grant it.”). Further, on that record, the court’s decision does not reflect any error or abuse of discretion. *See Libby O’Brien Kingsley & Champion, LLC*, 2015 ME 101, ¶ 5, 121 A.3d 109.

The entry is:

Order affirmed.

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Jeffrey Bennett, Esq. (orally), Joan Egdall, Esq., LEGAL-EASE, LLC,  
South Portland, for appellants Daniel G. Lilley and Daniel G. Lilley  
Law Offices, P.A.

Lola S. Lea, Esq. (orally), Freeport, for appellees Vaughn and Mary  
Sleeper

Russell B. Pierce, Jr., Esq. (orally), Norman, Hanson & Detroy, LLC,  
Portland, for appellees Marcus Clegg & Mistretta, P.A., Lee Bals,  
Jennie Clegg, and George Marcus

Cumberland County Superior Court docket number CV-2015-398  
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