

ANGELA C. LUNDQUIST

v.

BRYAN J. LUNDQUIST

Submitted on Briefs October 24, 2019  
Decided October 31, 2019

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

#### MEMORANDUM OF DECISION

Bryan J. Lundquist appeals from a judgment of divorce from Angela C. Lundquist entered by the District Court (Newport, *Budd, J.*) after an unusually protracted and contested hearing. Contrary to Bryan's contentions, the court thoroughly analyzed each of the statutory best interest factors and did not abuse its discretion in fashioning his contact schedule in awarding parental rights and responsibilities. *See* 19-A M.R.S. § 1653(3)(D)-(E) (2018); *Smith v. Padolko*, 2008 ME 56, ¶¶ 15-16, 955 A.2d 740.

We also discern no error or abuse of discretion in the court's spousal support award, which was based on its well-supported findings regarding the parties' respective incomes and earning capacities, Angela's contributions to Bryan's medical education, and Angela's role as the children's primary caregiver.<sup>1</sup> *See* 19-A M.R.S. § 951-A(5) (2018); *Carter v. Carter*, 2006 ME 68,

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<sup>1</sup> To the extent the court misstated the likely tax consequences of the spousal support award, the court expressly did not base its award on any consideration of the tax consequences to either party, and therefore any such misstatement was harmless. *See* M.R. Civ. P. 61.

¶ 20, 900 A.2d 200. Finally, the court did not err in awarding Angela attorney fees based partly on the costs she incurred in defending the protection from abuse proceeding Bryan initiated, which the court determined was unfounded.<sup>2</sup> See 19-A M.R.S. § 105 (2018); *Linscott v. Foy*, 1998 ME 206, ¶¶ 18-19, 716 A.2d 1017.

The entry is:

Judgment affirmed.

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Ezra A. R. Willey, Esq., Willey Law Offices, Bangor, for appellant Bryan J. Lundquist

Charles W. Hodsdon II, Esq., Bangor, for appellee Angela C. Lundquist

Newport District Court docket number FM-2016-87  
FOR CLERK REFERENCE ONLY

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<sup>2</sup> We reject Bryan's argument that the entire judgment should be vacated because of the court's statements regarding marital fault, which is an improper consideration in a no-fault divorce, see *Henriksen v. Cameron*, 622 A.2d 1135, 1140 (Me. 1993); contrary to Bryan's assertions, the court did not consider any marital fault in making its decisions.