

U.S. BANK, N.A.

v.

AEGIS LENDING CORP. et al.

Submitted on Briefs April 24, 2019

Decided May 2, 2019

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

#### MEMORANDUM OF DECISION

Lori D. Bond appeals from a judgment of the District Court (Waterville, *Nale, J.*) denying her motion for sanctions for alleged misrepresentations by the attorney who entered an appearance on behalf of Aegis Lending Corp. (ALC). Bond argues that the court abused its discretion in denying both her (1) motion for sanctions and (2) motion for further findings of fact and conclusions of law and to alter or amend the judgment.

Contrary to Bond's first argument, the court did not abuse its discretion in denying her motion for sanctions. *See State v. Gagne*, 2017 ME 63, ¶ 27, 159 A.3d 316; *Bayview Loan Servicing, LLC v. Bartlett*, 2014 ME 37, ¶ 10, 87 A.3d 741. The court clearly understood the issue before it, including its inherent power to issue sanctions, and its conclusion that sanctions were not appropriate here because Bond failed to prove any rule violation, show any prejudice, or otherwise make a "cogent" or "persuasive" argument is supported by competent evidence in the record. While Bond may have preferred that the court make findings regarding the ramifications of ALC's dissolution, the court did not abuse its discretion in denying her motion on other grounds without making those findings. *See Sager v. Town of Bowdoinham*, 2004 ME 40, ¶ 11,

845 A.2d 567 (“It is not sufficient to demonstrate that, on the facts of the case, the decisionmaker could have made choices more acceptable to the appellant.”).

The court also did not abuse its discretion in denying Bond’s motion for further findings of fact and conclusions of law and to alter or amend the judgment. *See Gammon v. Boggs*, 2018 ME 152, ¶ 12, 196 A.3d 900. The court’s order is sufficient to inform the parties and us of the basis of the court’s denial of Bond’s motion for sanctions. *Gammon*, 2018 ME 152, ¶ 12, 196 A.3d 900.

The entry is:

Judgment affirmed.

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Thomas A. Cox, Esq., Portland, for appellant Lori D. Bond

Rachel M. Wertheimer, Esq., and William C. Knowles, Esq., Verrill Dana LLP,  
Portland, for appellees Brett L. Messinger and Duane Morris LLP