

MARCEL DUBOIS et al.

v.

TOWN OF ARUNDEL et al.

Submitted on Briefs May 30, 2019  
Decided July 11, 2019

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

#### MEMORANDUM OF DECISION

Marcel Dubois and Sol Fedder appeal from an order of the Superior Court (York County, *O'Neil, J.*) dismissing their complaint and imposing Rule 11 sanctions in the form of attorney fees.

Contrary to Dubois and Fedder's contentions, the Superior Court did not err in dismissing Dubois and Fedder's complaint for lack of standing to bring a M.R. Civ. P. 80B action or, alternatively, for failure to state a claim upon which relief can be granted pursuant to the Freedom of Access Act. *Dubois v. Town of Arundel*, 2019 ME 21, ¶¶ 4-11, 202 A.3d 524. With regard to the imposition of attorney fees, the Superior Court held a hearing which provided Dubois and Fedder with an opportunity to be heard on the issue of attorney fees. *See id.* ¶¶ 12-15. Accordingly, the Superior Court did not err or abuse its discretion.

The entry is:

Judgment affirmed.

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Marcel Dubois, appellant pro se

Sol Fedder, appellant pro se

James M. Bowie, Esq, and Benjamin J. Wahrer, Esq., Thompson Bowie & Hatch LLC, Portland, for appellees Bergen & Parkinson, LLC, and Leah Rachin

John J. Wall, III, Esq., Monaghan Leahy, LLP, Portland, for appellees Town of Arundel et al.

York County Superior Court docket number AP-2017-24

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