

FREEDOM MORTGAGE CORPORATION

v.

RITCHIE A. DAN JR. et al.

Submitted on Briefs January 23, 2020

Decided January 30, 2020

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

MEMORANDUM OF DECISION

Ritchie A. Dan Jr. and Jasmine Dan appeal from a judgment of foreclosure entered in the District Court (Lewiston, *Martin, J.*) in favor of Freedom Mortgage Corporation. Contrary to the Dans' contention, the court did not err in concluding that Freedom Mortgage was the only party that had the right to seek foreclosure of the property because Freedom Mortgage owned the mortgage securing the promissory note. *See Bank of Am., N.A. v. Greenleaf*, 2014 ME 89, ¶¶ 12-15, 96 A.3d 700. Furthermore, the court did not clearly err or abuse its discretion in determining that Freedom Mortgage's witness at trial was competent to lay the foundation necessary to introduce certain exhibits pursuant to the business records exception. *See M.R. Evid.* 803(6); *Deutsche Bank Nat'l Tr. Co. v. Eddins*, 2018 ME 47, ¶¶ 11-13, 182 A.3d 1241; *Greenleaf*, 2014 ME 89, ¶¶ 25-26, 96 A.3d 700.

The entry is:

Judgment affirmed.

E. Chris L'Hommedieu, Esq., Lewiston, for appellants Ritchie and Jasmine Dan

Andrew J. Schaefer, Esq., Bendett & McHugh, P.C., Portland, for appellee
Freedom Mortgage Corporation

Lewiston District Court docket number RE-2018-41
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