

COTE W. TIBBETTS

v.

HEATHER M. BUTTIGLIERI

Submitted on Briefs April 21, 2021  
Decided April 29, 2021

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

MEMORANDUM OF DECISION

Cote W. Tibbetts appeals from a judgment of the District Court (Springvale, *Sutton, J.*) awarding him attorney fees. Contrary to Tibbetts's contentions, the trial court did not abuse its discretion by awarding him only some of the attorney fees that he requested. *Roussel v. Ashby*, 2015 ME 43, ¶ 10, 114 A.3d 670. Trial courts are afforded broad discretion to award attorney fees, and the court considered the proper factors in its decision. *Id.*; *McBride v. Worth*, 2018 ME 54, ¶ 20, 184 A.3d 14; *Rosen v. Rosen*, 651 A.2d 335, 336-37 (Me. 1994). Additionally, we deny Heather M. Buttiglieri's motion for sanctions, *see* M.R. App. P. 13(f), because Tibbetts's appeal is not "frivolous, contumacious, or instituted primarily for the purpose of delay," nor was his brief filled with "unfounded and disparaging accusations." *Fox v. Fox*, 2019 ME 163, ¶¶ 9-11, 221 A.3d 126 (quoting *Lincoln v. Burbank*, 2016 ME 138, ¶ 62, 147 A.3d 1165).

The entry is:

Judgment affirmed.

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Cote W. Tibbetts, appellant pro se

David J. Bobrow, Esq., Bedard & Bobrow, P.C., Eliot, for appellee Heather M. Buttiglieri

Springvale District Court docket number FM-2017-272  
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