

MICHAEL DONATELLI et al.

v.

TOWN OF OLD ORCHARD BEACH et al.

Submitted on Briefs September 27, 2023  
Decided October 10, 2023

Panel: STANFILL, C.J., and MEAD, JABAR, CONNORS, and LAWRENCE, JJ.

## MEMORANDUM OF DECISION

Michael Donatelli and Peter Chien appeal from the Superior Court's (York, *Mulhern, J.*) entry of summary judgment in favor of the Town of Old Orchard Beach, Scott E. Jarrett, Dana M. Kelley, Gerard Hamilton, Anthony Germaine, Stephen Brody, Jami Ladakakos, Dan Feeney, and Rod Belanger on the complaint Donatelli and Chien filed on October 13, 2020. Donatelli and Chien make numerous arguments on appeal regarding the court's rulings on the joinder and service of process on individuals, all of which are based on a misapprehension of the Maine Rules of Civil Procedure. *See* M.R. Civ. P. 3; M.R. Civ. P. 19; M.R. Civ. P. 37; M.R. Civ. P. 56. We find no merit in their arguments. The trial court did not err in granting the Town's motion for summary judgment because Donatelli and Chien did not dispute the statement of material facts filed by the Town or file a competing statement of material fact, and the undisputed facts show that the Town was entitled to a judgment as a matter of law. *See Coward v. Gagne & Son Concrete Blocks, Inc.*, 2020 ME 112, ¶ 13, 238 A.3d 254; *Cote v. Cote*, 2016 ME 94, ¶ 11, 143 A.3d 117; M.R. Civ. P. 56, (c), (h).

The entry is:

Judgment affirmed.

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Michael Donatelli and Peter Chien, appellants pro se

John J. Wall, III, Esq., Monaghan Leahy, LLP, Portland, for appellees Town of Old Orchard Beach, Scott E. Jarrett, Dana M. Kelley, Gerard Hamilton, Anthony Germaine, Stephen Brody, Jami Ladakakos, Dan Feeney, and Rod Belanger

York County Superior Court docket number CV-2020-200  
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