

MAINE HUMAN RIGHTS COMMISSION et al.

v.

BLUE WAGON, LLC, et al.

Submitted on Briefs May 23, 2023
Decided June 6, 2023

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

MEMORANDUM OF DECISION

Blue Wagon, LLC, appeals from the Superior Court’s (Kennebec County, *Stokes, J.*) denial of its motion for sanctions, pursuant to M.R. Civ. P. 11(a), against the Maine Human Rights Commission. Because this action has not yet been fully decided or disposed of,¹ and Blue Wagon, LLC, has not articulated whether one of the exceptions to the final judgment rule applies to this appeal, we dismiss this appeal as interlocutory. *See Maples v. Compass Harbor Vill. Condo. Ass’n*, 2022 ME 26, ¶ 15, 273 A.3d 358 (“A final judgment is a decision

¹ Despite the docket record in this case stating that a final judgment was entered on September 27, 2022, it appears that the action “is not yet final because there is further action to be taken in the [Superior] Court.” *Taylor v. Walker*, 2017 ME 218, ¶ 8, 173 A.3d 539. The court still needs to conduct a separate trial on damages and determine what amount, if any, is owed to the Maine Human Rights Commission and Angela Pitts by another defendant in this case. This damages proceeding was excluded from Pitts’s and Blue Wagon, LLC, et al.’s M.R. Civ. P. 41(a) motion for a stipulation of dismissal with prejudice. The damages dispute, however, does not appear to have been entirely severed and set apart in its own separate action. This action therefore still needs “future consideration and judgment of the court.” *Maples v. Compass Harbor Vill. Condo. Ass’n*, 2022 ME 26, ¶ 15, 273 A.3d 358.

that fully decides and disposes of the entire matter pending before the court, leaving no questions for the future consideration and judgment of the court. . . . [W]ith few exceptions, we decline to hear interlocutory appeals.” (alteration and quotation marks omitted)); *Taylor v. Walker*, 2017 ME 218, ¶ 8, 173 A.3d 539 (explaining that an interlocutory appeal “is not ripe for appellate review unless an exception to the final judgment rule applies” and “[a] party urging that we reach the merits of an otherwise interlocutory appeal has the burden of demonstrating to us that one of the exceptions to the final judgment rule justifies our reaching the merits of the appeal” (alteration and quotation marks omitted)).

The entry is:

Appeal dismissed.

Andre J. Hungerford, Esq., Hungerford Legal P.C., Portland, for appellant Blue Wagon, LLC

Barbara Archer Hirsch, Esq., and Kit Thomson Crossman, Esq., Maine Human Rights Commission, Augusta, for appellee Maine Human Rights Commission