

HELEN CRABTREE

v.

CENTRAL MAINE MEDICAL CENTER

Argued May 9, 2024  
Decided May 30, 2024

Panel: MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

## MEMORANDUM OF DECISION

Helen Crabtree appeals from a judgment of the Superior Court (Androscoggin County, *Stewart, J.*) entered following a jury verdict in her favor on her claim under the Maine Human Rights Act for employment discrimination against Central Maine Medical Center (CMMC). The court's judgment declined to award Crabtree back pay after May 19, 2017, to award her front pay, or to award her a tax offset for the back pay the court awarded through May 19, 2017.

Contrary to Crabtree's arguments, the court did not clearly err or abuse its discretion in limiting the awarded back pay. *See Walsh v. Town of Millinocket*, 2011 ME 99, ¶¶ 33-35, 28 A.3d 610; *Ginn v. Kelley Pontiac-Mazda, Inc.*, 2004 ME 1, ¶ 6, 841 A.2d 785; 5 M.R.S. § 4613(2)(B)(2) (2024); *cf. Me. Hum. Rts. Comm'n v. Dep't of Corr.*, 474 A.2d 860, 869 (Me. 1984). Nor did the court abuse its discretion in declining to award Crabtree front pay or a tax offset. *See Walsh*, 2011 ME 99, ¶¶ 41-42, 28 A.3d 610; *Rozanski v. A-P-A Transp., Inc.*, 512 A.2d 335, 342 (Me. 1986) (explaining that the "[c]hoice of the remedy to accomplish"

the goal of making whole a victim of unlawful employment discrimination “is vested in the sound discretion of the Superior Court”).<sup>1</sup>

The entry is:

Judgment affirmed.

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John P. Gause, Esq. (orally), Eastern Maine Law, LLC, P.A., Bangor, for appellant Helen Crabtree

Brooke K. Haley, Esq. (orally), and Harper A. Weissburg, Esq., Preti Flaherty Beliveau & Pachios LLP, Portland, and Peter G. Callaghan, Esq., Preti Flaherty Beliveau & Pachios LLP, Concord New Hampshire, for appellee Central Maine Medical Center

Androscoggin County Superior Court docket number CV-2019-10  
FOR CLERK REFERENCE ONLY

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<sup>1</sup> We deny CMMC’s request that we award it “reasonable attorney’s fees . . . for this appeal.” See 5 M.R.S. § 4614 (2024) (providing that “[i]n any civil action under” the Maine Human Rights Act, “the court, in its discretion, may allow the prevailing party reasonable attorney’s fees”); Alexander, *Maine Appellate Practice* §§ 13.4, 13.6 at 150-52 (6th ed. 2022); see also M.R. App. P. 13(a).