

MEETING HOUSE HILL PARK, LLC

v.

CITY OF SOUTH PORTLAND

Submitted on Briefs June 20, 2024  
Decided June 27, 2024

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

## MEMORANDUM OF DECISION

Meeting House Hill Park, LLC (Meeting House) appeals from a judgment of the Superior Court (Cumberland County, *MG Kennedy, J.*) denying a motion to enlarge the time to file a Rule 80B complaint seeking review of a final government action and dismissing the complaint as untimely. M.R. Civ. P. 6(b), 80B. Contrary to Meeting House’s arguments, the court did not abuse its discretion in determining that Meeting House’s untimely filing of the Rule 80B complaint was not the result of “excusable neglect.” M.R. Civ. P. 6(b); 36 M.R.S. § 843(1) (2024); *see Flaherty v. Allstate Ins. Co.*, 2003 ME 72, ¶ 8, 822 A.2d 1159; *Tominsky v. Ogunquit*, 2023 ME 30, ¶¶ 28-29, 294 A.3d 142; *Young v. Sturdy Furniture Co.*, 441 A.2d 320, 321-22 (Me. 1982); 2 Harvey, *Maine Civil Practice* § 6:2 at 325-26 (3d, 2023-2024 ed.).

The entry is:

Judgment affirmed.

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David M. Hirshon, Esq., Hirshon Law Group, P.C., Freeport, and Marshall J. Tinkle, Esq., Thompson, MacColl & Bass, LLC, P.A., Portland, for Appellant Meeting House Hill, LLC

Sally J. Daggett, Esq., and Mark A. Bower, Esq., Jensen Baird, Portland, for appellee City of South Portland

Cumberland County Superior Court docket number AP-2023-27  
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