

CDS RECOVERIES, LLC

v.

KEITH A. FRASER

Submitted on Briefs October 26, 2000
Decided October 30, 2000

Panel: WATHEN, C.J., and CLIFFORD, RUDMAN, DANA, SAUFLEY,
ALEXANDER, and CALKINS, JJ.

MEMORANDUM OF DECISION

Keith A. Fraser appeals from a summary judgment entered in the Superior Court (Sagadahoc County, *Studstrup, J.*) in favor of CDS Recoveries, LLC on CDS's complaint for foreclosure. Contrary to Fraser's contentions, the Superior Court did not err in concluding that there was no genuine issue of material fact regarding the amount he owed on the notes. *See Kenny v. Dep't of Human Servs.*, 1999 ME 158, ¶ 3, 740 A.2d 560, 562-63; *Haskell v. Planning Bd. of Town of Yarmouth*, 388 A.2d 100, 102 (Me. 1978). Nor did the court err in concluding that there was no genuine issue of material fact regarding Fraser's defense of equitable estoppel. *See Kirkham v. Hansen*, 583 A.2d 1026, 1027-28 (Me. 1990).

The entry is:

Judgment affirmed.

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