

GORHAM SAVINGS BANK

v.

MARK PLUMMER

Submitted on Briefs January 28, 2002
Decided February 11, 2002

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

MEMORANDUM OF DECISION

Mark S. Plummer appeals from the summary judgment entered in the Superior Court (Cumberland County, *Delahanty, J.*) in favor of Gorham Savings Bank. Plummer failed to file a statement of material fact as required by former Rule of Civil Procedure 7(d) and, therefore, the facts contained in the Bank's statement are deemed admitted. *University of New England v. Weinstein*, 2001 ME 108, ¶ 2, 777 A.2d 829, 830. Contrary to Plummer's contentions, the evidence, when viewed in the light most favorable to him, fails to present a genuine issue of material fact. *Champagne v. Mid-Maine Med. Ctr.*, 1998 ME 87, ¶ 5, 711 A.2d 842.

The entry is:

Judgment affirmed and remanded to the Superior Court for an assessment of Gorham Savings Bank's attorney fees on appeal.

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