

JAMES VOGT

v.

NANCY CHURCHILL

Submitted on Briefs September 25, 2003
Decided October 3, 2003

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

MEMORANDUM OF DECISION

Nancy Churchill appeals from the judgments of the District Court (Wiscasset, *Anderson, J.*), which: (1) in five separate disclosure proceedings determined amounts due to Churchill to collect sums awarded to her for attorney fees arising out of the parties' divorce action; (2) in an enforcement/contempt proceeding found that Churchill owed James Vogt \$97,501.88 in principal and post-judgment interest for an amount Churchill was ordered to pay Vogt in their amended divorce judgment; and (3) set-off the sums due Churchill determined in the disclosure proceedings, and the sums due Vogt under the amended divorce judgment, such that with the set-off, the disclosure proceedings were dismissed and Churchill was ordered to pay Vogt \$28,599.85 in the proceeding for contempt and

to enforce the divorce judgment. Churchill asserts that the District Court erred in: (1) setting off the sums found to be due in the disclosure proceedings against the sums found to be due under the divorce judgment; (2) finding a sum due in the divorce proceeding when the event which triggered the obligation to pay never occurred; and (3) awarding post-judgment interest on the sums due in the divorce proceeding.

The court did not abuse its discretion in construing the amended divorce judgment to include an obligation to pay post-judgment interest on the sums claimed by both parties. *See Thompson v. Rothman*, 2002 ME 39, ¶¶ 6-8, 791 A.2d 921, 923-24. Churchill's remaining arguments are unsupported by statute or precedent or are directly contrary to explicit statutory language, 14 M.R.S.A. § 1602-A (2003).¹

The entry is:

Judgments affirmed.

Attorney for plaintiff:

Craig T. Gardner, Esq.
25 Pool Street
Biddeford, ME 04005

Attorney for defendant:

Ronald P. Lebel, Esq.
Skelton, Taintor & Abbott, P.A.
P O Box 3200
Auburn, ME 04212-3200

¹ For judgments entered on or after July 1, 2003, 14 M.R.S.A. § 1602-A has been repealed and replaced by 14 M.R.S.A. § 1602-C by operation of P.L. 2003, ch. 460, §§ 5 & 6.