

THERESA McINTIRE, PERSONAL REPRESENTATIVE OF THE
ESTATE OF LAWRENCE HARPE

v.

IRENE THERIAULT and
OXFORD FEDERAL CREDIT UNION

Submitted on Briefs October 6, 2004
Decided November 10, 2004

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

MEMORANDUM OF DECISION

Theresa McIntire, personal representative of the Estate of Lawrence Harpe, appeals from a summary judgment entered in the District Court (Rumford, *Cote, J.*). Contrary to McIntire's contention, by failing to properly dispute Oxford's statement of material facts, Oxford's statement is deemed admitted. *See* M.R. Civ. P. 56(h)(4). There being no material facts in dispute, Oxford is entitled to a judgment in its favor.

The entry is:

Judgment affirmed.

Attorneys for plaintiff:

Thomas S. Carey, Esq.
Stephen C. Chute, Esq.
Carey & Associates
P O Box 100
Rumford, ME 04276-0100

Attorney for defendant O.C.F.U.:

James E. Belleau, Esq.
Skelton, Taintor & Abbott, P.A.
P O Box 3200
Auburn, ME 04212-3200

Defendant Theriault did not file a brief.