

DOROTHY LAFORTUNE

v.

CITY OF BIDDEFORD et al.

Submitted on Briefs November 3, 2004
Decided November 19, 2004

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

MEMORANDUM OF DECISION

Dorothy Lafortune appeals from several orders of the Superior Court (York County, *Brennan, J.*) dismissing her complaint against the City of Biddeford, to which Tim Ly, Robert Ruel, and Saco & Biddeford Savings Institution were joined as parties-in-interest. The underlying facts of this case are essentially the same as those presented in *Ly v. Lafortune*, 2003 ME 119, 832 A.2d 757. Because Lafortune had a fair opportunity and incentive to litigate the City's compliance with tax lien laws in *Ly*, and because that case settled the issue, collateral estoppel precludes Lafortune from relitigating the matter. *See Cline v. Me. Coast Nordic*,

1999 ME 72, ¶ 9, 728 A.2d 686, 688. We have reviewed Lafortune's other contentions, and find them to be without merit.

The entry is:

Judgment affirmed.

For plaintiff:

Dorothy Lafortune
P O Box 187
Biddeford, ME 04005

Attorneys for defendants:

Keith R. Jacques, Esq.
Aaron P. Burns, Esq.
Smith Elliott Smith & Garmey, P.A.
P O Box 1179
Saco, ME 04072-1179
(for City of Biddeford)

Jens-Peter Bergen, Esq.
79 Portland Road
Kennebunk, ME 04043
(for Tim Ly)

Craig Rancourt, Esq.
13 Crescent Street, Suite 100
Biddeford, ME 04005
(for Robert Ruel)