

EARL L. BROUILLETTE et al.

v.

WILLIAM G. MILLIKEN

Submitted on Briefs May 17, 2005

Decided June 1, 2005

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

#### MEMORANDUM OF DECISION

William G. Milliken appeals from a judgment entered in the District Court (Bangor, *Gunther, J.*) in which the court accepted the report of the referee, finding, *inter alia*, that Earl L. and Maria Brouillette do not owe Milliken a real estate brokerage commission. Contrary to Milliken's contention, the record does not disclose error in the referee's decision to award a commission to Tomorrow Real Estate, Inc., *see Warren v. Warren*, 2005 ME 9, ¶ 19, 866 A.2d 97, 101, nor in its conclusion that Milliken is not entitled to a broker's commission based on his expired contract, *see* 32 M.R.S.A. § 13177 (1999 & Supp. 2004), or based on a

theory of promissory estoppel, *see Daigle Commercial Group, Inc. v. St. Laurent*,  
1999 ME 107, ¶ 14, 734 A.2d 667, 672.

The entry is:

Judgment affirmed.

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