

AL LINDQUIST et al.

v.

FRANK ASHLINE

Submitted on Briefs April 20, 2005

Decided May 12, 2005

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

MEMORANDUM OF DECISION

Frank Ashline appeals from a summary judgment entered in the Superior Court (York County, *Brennan, J.*) in favor of Al Lindquist, Trustee of Harvard St. Realty Trust, in this foreclosure action. Contrary to Ashline's contentions, he failed to create genuine issues of material fact with respect to (1) Lindquist's compliance with the requirements of 14 M.R.S.A. § 6111 (2003); and (2) the parties' alleged oral workout agreement. *See Carroll v. City of Portland*, 1999 ME 131, ¶ 5, 736 A.2d 279, 282. Furthermore, the court did not clearly err in its determination of damages because there was a rational basis for the court's award. *See Rutland v. Mullen*, 2002 ME 98, ¶ 20, 798 A.2d 1104, 1112.

The entry is:

Judgment affirmed.

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