

JOHN LANPHER

v.

ZUKERMAN FAMILY MAINE RESIDENTIAL TRUST et al.

Submitted on Briefs May 17, 2005

Decided May 23, 2005

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

MEMORANDUM OF DECISION

Karen and Morris Zukerman, as trustees of the Zukerman Family Maine Residential Trust, appeal from the decision of the Superior Court (Hancock County, *Mead, J.*) confirming an arbitration award in favor of John Lanpher. The Zukermans assert that the arbitration award contains several legal and factual errors. Without concluding whether the arbitration award does or does not contain those errors, we affirm the judgment of the Superior Court. It is well settled in Maine that legal and factual errors are not grounds upon which an arbitration award may be vacated. *See* 14 M.R.S.A. § 5938(1) (2003); *Commercial Union Ins. Co. v. Me. Employers' Mut. Ins. Co.*, 2002 ME 56, ¶ 8, 794 A.2d 77, 80.

Additionally, Lanpher is entitled to reasonable attorney fees and expenses on appeal pursuant to 10 M.R.S.A. § 1118(4) (1997). The issue of reasonable attorney fees and expenses is a factual determination for the trial court.

The entry is:

Judgment affirmed. Remanded to the Superior Court for the limited purpose of determining Lanpher's reasonable attorney fees and expenses on appeal pursuant to 10 M.R.S.A. § 1118(4).

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