

PATRICIA RUDKIN

v.

BARRY RUDKIN

Submitted on Briefs February 27, 2006
Decided April 10, 2006

Panel: CLIFFORD, ALEXANDER, CALKINS, LEVY, and SILVER, JJ.

MEMORANDUM OF DECISION

Barry Rudkin appeals from a divorce judgment entered in the District Court (Augusta, *Worth, J.*), arguing that the court erred in finding that the proceeds from the sale of the parties' business were marital property; valuing, and awarding to the parties, certain property; and failing to make an equitable division of marital property. In the record, there is sufficient evidence for the court to find that assets that Barry Rudkin used to purchase the business became a contribution to the marital estate and that he had made a commitment to equal ownership and, consequently, equal division of property. Therefore, the court did not err in concluding that Barry Rudkin failed to demonstrate that his assets contributed to

the marital estate should be kept separate as nonmarital property, *Spooner v. Spooner*, 2004 ME 69, ¶¶ 31-34, 850 A.2d 354, 363, or in declining to make a division of marital assets that gave a larger share to him, *Robinson v. Robinson*, 2000 ME 101, ¶¶ 13-15, 751 A.2d 457, 460-61.

The court also did not err in valuing the marital property, considering the significant number of items at issue, and the summary nature of the evidence regarding the value of some items that did not greatly effect the overall division of over \$2.6 million in marital property. *See Kapler v. Kapler*, 2000 ME 131, ¶ 9, 755 A.2d 502, 506-07.

The entry is:

Judgment affirmed.

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