

KERRY HEGARTY

v.

MONTREAL, MAINE & ATLANTIC RAILWAY

Submitted on Briefs May 12, 2006  
Decided May 22, 2006

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

MEMORANDUM OF DECISION

Kerry Hegarty appeals from a summary judgment entered in the Superior Court (Somerset County, *Jabar, J.*) in favor of Montreal, Maine & Atlantic Railway. Inasmuch as Hegarty failed to respond properly to the Railway's motion for summary judgment and failed to present a prima facie case of disability discrimination, the summary judgment was proper. *See generally Doyle v. Dep't of Human Servs.*, 2003 ME 61, 824 A.2d 48; M.R. Civ. P. 56(h)(2), (4).

The entry is:

Judgment affirmed.

---

**For the plaintiff:**

Kerry Hegarty  
P.O. Box 873  
Jackman, ME 04945

**Attorney for the defendant:**

Ella L. Brown, Esq.  
Pierce Atwood  
One Monument Square  
Portland, ME 04101