

ROBERT E. GARNETT JR. et al.

v.

PAUL L. ALLEN et al.

Submitted on Briefs May 12, 2006
Decided June 1, 2006

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

MEMORANDUM OF DECISION

Paul L. and Lillian M. Allen appeal from a judgment of the Superior Court (Penobscot County, *Mead, J.*) in favor of Robert E. and Denise G. Garnett in the amount of \$12,360 plus costs and interest on their claim of negligent misrepresentation. The Allens contend that there is insufficient evidence in the record to support a finding of negligent misrepresentation or a finding that any misrepresentation caused actual damage to the Garnetts.

Contrary to the Allens' contentions, there is sufficient evidence in the record to support the court's findings and conclusions that the Garnetts reasonably relied

upon the Allens' negligent misrepresentation regarding the condition of the basement and foundation and that the misrepresentation caused actual damages in the amount of \$12,360. *See In re Cyr*, 2005 ME 61, ¶ 16, 873 A.2d 355, 360-61; *Rand v. Bath Iron Works Corp.*, 2003 ME 122, ¶ 13, 832 A.2d 771, 774-75; *Hood v. Mercier*, 523 A.2d 572, 574 (Me. 1987).

The entry is:

Judgment affirmed.

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