

RICHARD S. MCGUCKIN

v.

WILLIAM STANLEY

Submitted on Briefs May 12, 2006
Decided June 20, 2006

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

MEMORANDUM OF DECISION

William Stanley appeals from a default judgment entered in the District Court (Bangor, *Murray, D.C.J.*) in favor of Richard S. McGuckin on McGuckin's complaint for breach of contract and negligent misrepresentation in connection with Stanley's paving of McGuckin's dentist office parking lot. Contrary to Stanley's contention, the court neither clearly erred nor exceeded its discretion in admitting the estimate of the cost of repairing the lot. *See State v. Howe*, 2001 ME 181, ¶ 8, 788 A.2d 161, 163; *MacLeod v. Great N. Paper Co.*, 268 A.2d 488, 491 (Me. 1970). Further, a rational basis in the evidence does exist to support the

court's award of damages. *See Avery v. Kennebec Millwork, Inc.*, 2004 ME 147, ¶ 3, 861 A.2d 634, 635.

The entry is:

Judgment affirmed.

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