

ROBERT A. MARTIN et al.

v.

CHARLES J. SCHULZ JR. et al.

v.

GREGORY J. MARTIN

Submitted on Briefs December 20, 2006

Decided January 9, 2007

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

MEMORANDUM OF DECISION

Gregory J. Martin, a third-party defendant, appeals from the Superior Court's (Somerset County, *Jabar, J.*) grant of a motion to enforce a court order and direct an appointee, pursuant to M.R. Civ. P. 70, to execute the parties' settlement agreement by conveying a certain parcel from Gregory Martin to Charles J. Schulz Jr. and six members of his family. Contrary to Martin's contention, the court did not abuse its discretion in granting the motion to enforce the judgment

through M.R. Civ. P. 70 without first conducting a hearing on his separately filed declaratory judgment claim, which had been dismissed. *See* M.R. Civ. P. 70; *Linscott v. Foy*, 1998 ME 206, ¶¶ 11-13, 716 A.2d 1017, 1020.

The entry is:

Judgment affirmed.

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