

DISCOVER BANK

v.

DAVID BOUCHER

Submitted on Briefs February 27, 2007  
Decided March 8, 2007

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

MEMORANDUM OF DECISION

David Boucher appeals from a judgment entered in the District Court (Farmington, *McElwee, J.*) awarding Discover Bank \$11,747.35 plus pre- and post-judgment interest and costs. Boucher contends that there is insufficient evidence to conclude that he had formed a valid contract with Discover Bank. Contrary to Boucher's contentions, there is competent evidence to conclude that a contract between the parties was created when Boucher accepted the terms of Discover's cardmember agreement by using his credit card for purchases. *See VanVoorhees v. Dodge*, 679 A.2d 1077, 1080 (Me. 1996).

The entry is:

Judgment affirmed.

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