

TRAVIS SAMUEL BATTY

v.

DAIRYLAND INSURANCE CO.

Submitted on Briefs May 29, 2008

Decided July 31, 2008

Panel: SAUFLEY, C.J., and CLIFFORD, ALEXANDER, LEVY, SILVER,  
MEAD, and GORMAN, JJ.

MEMORANDUM OF DECISION

Travis Samuel Batty appeals from a judgment entered in the Superior Court (Knox County, *Wheeler, J.*) finding for Dairyland Insurance Co. (Dairyland) on a motion for judgment on a stipulated record. Batty argues that the court erred in granting judgment for Dairyland on the theory of comparative negligence. When parties present a matter for decision on a stipulated or agreed record, we review the trial court's determinations for clear error. *Cates v. Donahue*, 2007 ME 38, ¶ 9, 916 A.2d 941, 943; *see also Tsoulas v. Liberty Life Assurance Co. of Boston*, 454 F.3d 69, 75-76 (1st Cir. 2006). Viewed by the clear error standard, the evidence in the record supports the findings and conclusions of the trial court. *See Pratt v. Spaulding*, 2003 ME 56, ¶ 10, 822 A.2d 1183, 1186.

The entry is:

Judgment affirmed.

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