

SHARI THIBEAULT

v.

STEVEN A. BRACKETT

Submitted on Briefs November 4, 2008

Decided November 18, 2008

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

MEMORANDUM OF DECISION

Steven A. Brackett appeals from a judgment of the Superior Court (Franklin County, *Jabar, J.*) awarding Shari Thibeault damages on her unjust enrichment claim following our remand in *Thibeault v. Brackett*, 2007 ME 154, 938 A.2d 27. Brackett argues that the court erred by permitting Thibeault to recover for mortgage payments and for certain home improvement expenditures, and by awarding Thibeault \$37,155 on the unjust enrichment claim.

On remand, the parties did not present new evidence and allowed the court to decide the matter on the existing record. Upon review, we consider the evidence in the record and inferences that may be drawn from the evidence most favorably to the trial court's judgment. *Pratt v. Spaulding*, 2003 ME 56, ¶ 10, 822 A.2d 1183, 1186. Considering that the trial court could reasonably find that the parties pooled their resources and efforts to improve the property where they lived, the court did not commit clear error in its fact-finding or abuse its discretion in determining the amount of the award to Thibeault. *See Jenkins, Inc. v. Walsh Bros, Inc.*, 2001 ME 98, ¶ 18, 776 A.2d 1129, 1235-36.

The entry is:

Judgment affirmed.

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