

JOAN CAROL LIPIN

v.

ESTATE OF THEODORE LIPIN et al.

Submitted on Briefs March 31, 2008

Decided April 15, 2008

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

#### MEMORANDUM OF DECISION

Joan Carol Lipin appeals from the summary judgment entered in the Superior Court (Cumberland County, *Crowley, J.*) in favor of the Estate of Theodore Lipin, Evelyn Ellis, personal representative of the Estate, Robert Lipin, and Ann Susan Markatos on their motions for summary judgment. While Joan Lipin seeks to raise many issues on appeal, she failed, in the trial court, to properly oppose the defendants' motions for summary judgment. Because the defendants' statements of material fact were not properly controverted in accordance with M.R. Civ. P. 56(h)(4), those statements of material fact are deemed admitted. *Stanley v.*

*Hancock County Comm'rs*, 2004 ME 157, ¶ 13, 864 A.2d 169, 174. With the facts established in accordance with the defendants' statements of material fact, no error is demonstrated in the Superior Court's decision.

The entry is:

Judgment affirmed.

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