

ANTHONY I. AREY

v.

DEBORAH REBOLLEDO et al.

Submitted on Briefs November 1, 2007
Decided January 10, 2008

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

MEMORANDUM OF DECISION

Anthony I. Arey appeals from a judgment entered in the Superior Court (Hancock County, *Hjelm, J.*) awarding Arey \$1,000 plus interest for Deborah Rebolledo's breach of a purchase and sale agreement and \$2,500 in attorney fees; denying Arey a constructive trust against Carole G. Lyford, the third party who purchased from Rebolledo an interest in the property under contract; and finding for the defendants on Arey's other claims alleging tortious interference with an economic advantage against Rebolledo's attorney, David W. Hawkins, and civil conspiracy against Rebolledo, Lyford, and Hawkins. Rebolledo cross-appeals,

arguing that the court erred in finding that Rebolledo had breached the purchase and sale agreement and in awarding Arey attorney fees.

Contrary to the parties' contentions, the court did not err in denying Arey a constructive trust, *compare with Corey v. Corey*, 2002 ME 132, ¶ 10, 803 A.2d 1014, 1017; *Thomas v. Fales*, 577 A.2d 1181, 1183 (Me. 1990); in finding for Hawkins on the tortious interference with an economic advantage claim, *Gordan v. Cummings*, 2000 ME 68, ¶¶ 14-15, 756 A.2d 942, 946; *see also Dombkowski v. Ferland*, 2006 ME 24, ¶ 28, 893 A.2d 599, 606-07; in finding for the defendants on the civil conspiracy claim, *Cohen v. Bowdoin*, 288 A.2d 106, 109-10 (Me. 1972); in awarding Arey \$2,500 in attorney fees, *Lee v. Scotia Prince Cruises Ltd.*, 2003 ME 78, ¶ 18, 828 A.2d 210, 215; *Advanced Constr. Corp. v. Pilecki*, 2006 ME 84, ¶¶ 29-32, 901 A.2d 189, 198-99; or in finding that Rebolledo had breached the purchase and sale agreement, *Am. Prot. Ins. Co. v. Acadia Ins. Co.*, 2003 ME 6, ¶ 11, 814 A.2d 989, 993; *see also M.R. Civ. P. 12(b); Doughty v. Sullivan*, 661 A.2d 1112, 1222 n.14 (Me. 1995).

The entry is:

Judgments affirmed.

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