

GWEN O. MALLOZZI-HALLEE

v.

STEPHEN N. HALLEE

Argued November 10, 2009

Decided December 1, 2009

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

#### MEMORANDUM OF DECISION

Gwen O. Mallozzi-Hallee appeals from a divorce judgment entered by the District Court (Belfast, *Worth, J.*). Contrary to her contentions, the court: (1) did not abuse its discretion in denying her motion to continue the specially set trial, made four days before the trial began, *see In re Trever I.*, 2009 ME 59, ¶ 28, 973 A.2d 752, 760; (2) did not clearly err in finding that an agreement made between the parties prior to their marriage was unenforceable, *see Estate of Barrows*, 2008 ME 62, ¶ 3, 945 A.2d 1217, 1219 (stating that when a contract is ambiguous, court must determine parties' intent as a question of fact); (3) did not err in finding that Stephen N. Hallee's role in the marital business created personal goodwill, which was not marital property subject to division, *see Ahern v. Ahern*, 2008 ME 1, ¶ 14, 938 A.2d 35, 39; (4) did not abuse its discretion in declining to award attorney fees, *see Wandishin v. Wandishin*, 2009 ME 73, ¶ 16, 976 A.2d 949, 954; and finally (5) on this record did not clearly err in valuing the parties' marital property, or plainly abuse its discretion in dividing that property, *see Wandishin*, 2009 ME 73, ¶ 12, 976 A.2d at 953; *Grenier v. Grenier*, 2006 ME 99, ¶ 10, 904 A.2d 403, 406.

The entry is:

Judgment affirmed.

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Belfast District Court docket number FM-2007-252  
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