

JAY McLAUGHLIN

v.

PATRICK E. HUNT

Submitted on Briefs November 23, 2009

Decided December 10, 2009

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

#### MEMORANDUM OF DECISION

Jay McLaughlin and Ellen McLaughlin appeal from a judgment entered in the Superior Court (Penobscot County, *Murphy, J.*), granting Patrick Hunt's motion for summary judgment on the McLaughlins' claim for legal malpractice. Contrary to the McLaughlins' contentions, their undisputed statements and actions, when viewed as a whole in the light most favorable to them as the nonmoving parties, do not, as a matter of law, support a claim against Denharco, Inc., pursuant to 11 M.R.S. § 2-608 (2008), for revocation of acceptance, see *Wadsworth Plumbing and Heating Co. v. Tollycraft Corp.*, 560 P.2d 1080 (Or. 1977), and therefore the court did not err in granting summary judgment on the legal malpractice claim the McLaughlins brought against Hunt for failure to pursue that claim, see *Niehoff v. Shankman & Assocs. Legal Ctr.*, 2000 ME 214, ¶ 6, 763 A.2d 121, 124.

The entry is:

Judgment affirmed.

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