

STATE OF MAINE
CUMBERLAND, ss.

SUPERIOR COURT
CIVIL ACTION
Docket No. CV-14-481

MARTIN LAUGHLIN JR.,

Plaintiff

v.

ORDER

DONNA LAUGHLIN,

Defendant

STATE OF MAINE
Cumberland ss. Clerk's Office
APR 29 2015
RECEIVED

Before the court is plaintiff Martin Laughlin's motion for an attachment against real property belonging to his mother, defendant Donna Laughlin.

The affidavits of Martin Laughlin (hereafter Martin) and of Donna Laughlin (hereafter Donna) squarely contradict each other in many respects. However, the court can weigh the credibility of affidavits on a motion for attachment. See Porrazzo v. Karofsky, 1998 ME 182 ¶ 7, 714 A.2d 826. In this case the court finds on this record that it is more likely than not that Martin will recover a judgment of \$15,700 on his claims that he paid legal expenses to rescue his mother's property from a tax foreclosure (\$ 1100), that he paid certain real estate taxes on her behalf (\$ 6600), that he paid for new countertops to be installed in her home (\$ 5000), and that he paid for Donna's CNA care (\$ 3000). The court makes this finding on Martin's claim of unjust enrichment and does not address his other theories of recovery.

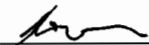
The court does not find in light of Donna's affidavit in opposition to the instant motion that Martin has demonstrated that it is more likely than not that he will prevail on his additional claim for money paid to CMP.

Martin is only seeking to file an attachment against real property owned by Donna, and accordingly the court is entering the accompanying order granting that attachment.

The entry shall be:

Motion for attachment granted. The clerk is directed to incorporate this order in the docket by reference pursuant to Rule 79(a).

Dated: April 28, 2015



Thomas D. Warren
Justice, Superior Court

CLERK OF COURTS
Cumberland County
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