

STATE OF MAINE
CUMBERLAND, ss

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-13-160

REC'D CUMB CLERKS OF
JAN 16 '18 PM 1:59

NANCY POLITO, individually and
as the Personal Representative of THE
ESTATE OF ISABEL POLITO,

Plaintiff

v.

ORDER

ST. JOSEPH'S MANOR, INC.,

Defendant

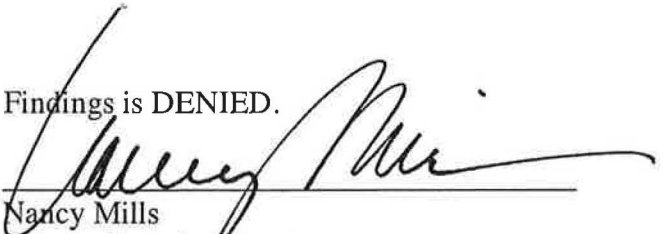
Before the court is defendant's motion to amend the panel findings dated August 23, 2017. Defendant requests that the court replace Dr. Thomas Hattan's notation of "N/A" with his signature on question B. (Ex. A. attached to Def.'s Mot.) The panel findings were mailed to the court and the attorneys by the panel chair with a cover letter dated September 19, 2017. (Ex. B. attached to Def.'s Mot.)

Defendant argues Dr. Hattan's notation of "N/A" was a clerical mistake that must be corrected. (Def.'s Mot. 2.) The court has been given only the written argument of counsel. Even if additional materials had been presented, the deliberations and discussion of the panel and any expert testimony are "privileged and confidential." 24 M.R.S. § 2857(2) (2017). The court may not review the panel proceeding to determine whether Dr. Hattan made a clerical mistake. See Estate of Nickerson v. Carter, 2014 ME 19, ¶ 15, 86 A.3d 658.

The entry is

Defendant's Motion to Amend Panel Findings is DENIED.

Date: January 16, 2018


Nancy Mills
Justice, Superior Court