

HAMMOND LUMBER COMPANY

v.

SAMANTHA FENDERSON et al.

Submitted on Briefs October 30, 2024

Decided November 7, 2024

Panel: STANFILL, C.J., and MEAD, HORTON, CONNORS, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Samantha Fenderson appeals from a judgment entered by the District Court (Waterville, *Dow, J.*) in favor of Hammond Lumber Company following a bench trial on its complaint for breach of contract, account annexed, violation of prompt payment act, unjust enrichment, and quantum meruit. Contrary to Fenderson’s contention, we conclude that the court did not abuse its discretion by not holding a trial management conference ahead of trial. *See* M.R. Civ. P. 16A(b) (“The court *may also schedule a conference*, issue a pretrial order or, *in its discretion*, direct the attorneys for the parties and/or the parties to appear before it for a conference” (emphasis added)); *Macomber v. MacQuinn-Tweedie*, 2003 ME 121, ¶ 17, 834 A.2d 131 (explaining in a different context that courts have the “inherent authority to control their dockets and promote judicial economy.”).

To the extent that Fenderson preserved a procedural due process argument, even if the court erred by not holding the management conference when its scheduling order provided that “the District Court shall hold a trial management conference with the parties/counsel,” Fenderson has not identified, and we cannot see how that error resulted in, any prejudice. *See In*

re Child of Kenneth S., 2022 ME 14, ¶ 22, 269 A.3d 242 (“Notwithstanding the trial court’s error, to assert a procedural due process error on appeal, a party must articulate an identifiable prejudice.”).

Nor do we conclude that the court abused its discretion by not ordering discovery when Fenderson never filed a motion to compel or made any discovery requests. *See* M.R. Civ. P. 26(a) (outlining the methods of discovery); *see also* M.R. Civ. P 37 (outlining the remedies for failure to deliver discovery).

The entry is:

Judgment affirmed.

Samantha Fenderson, appellant pro se

With leave of the Court, Hammond Lumber Company did not file a brief