

CLIFFORD P. DUMONT
v.
FLEET BANK OF MAINE
and
MICHAEL HAENN

Submitted on Briefs January 28, 2000
Decided January 31, 2000

Panel: WATHEN, C.J., and CLIFFORD, RUDMAN, DANA, ALEXANDER, and
CALKINS, JJ.

MEMORANDUM OF DECISION

Clifford Paul Dumont appeals from a summary judgment entered in favor of Fleet Bank and Michael Haenn. Contrary to Mr. Dumont's contentions, the court (Kennebec County, *Marden, J.*) did not err when it granted a summary judgment to the defendants on Mr. Dumont's abuse of process claim. *See Tanguay v. Asen*, 1998 ME 277, ¶ 5, 722 A.2d 49, 50. Mr. Dumont failed to controvert a genuine issue of material fact in his response to the defendants' 7(d) statements. *See* M.R. Civ. P. 7(d); *Cloutier, Barrett, Cloutier & Conley, P.A. v. Wax*, 604 A.2d 42, 44 (Me. 1992) (stating obligation of party opposing summary judgment to controvert facts). Thus, the court properly granted a summary judgment because no genuine issue of material fact existed and no evidence established an abuse of process as a matter of law. *See Tanguay*, 1998 ME 277, ¶ 5, 722 A.2d at 50; *Cloutier*, 604 A.2d at 44.

The entry is:

Judgment affirmed.

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