

RANSFORD McBREAIRTY

v.

MARLENE McBREAIRTY,
Personal Representative of the
Estate of Larry McBreairty et al.

Submitted on Briefs December 20, 2000
Decided February 6, 2001

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

MEMORANDUM OF DECISION

Ransford McBreairty appeals from a judgment entered in favor of Marlene McBreairty and the Estate of Larry McBreairty after a bench trial in the Superior Court (Aroostook County, *Pierson, J.*). Because Ransford had independent counsel and his son, Larry, was not his fiduciary, the court did not err in concluding that the Improvident Transfers of Title Act, 33 M.R.S.A. §§ 1021-1025 (1999), did not apply; the court's finding that Larry did not exercise undue influence over or have a confidential relationship with Ransford was not clearly erroneous; and because Ransford was not Larry's creditor, the Uniform Fraudulent Transfer Act did not apply, *see* 14 M.R.S.A. §§ 3575(1), 3578 (Supp. 2000).

The entry is:

Judgment affirmed.

For plaintiff:

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