

PETER BUBAR

v.

WEATHERHEAD POTATO CORPORATION

Submitted on briefs February 27, 2002
Decided March 27, 2002

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

MEMORANDUM OF DECISION

Peter Bubar appeals from the judgment entered in the Superior Court (Aroostook County, *Gorman, J.*) awarding Weatherhead Potato Corporation \$260,583.50 on its claims against Bubar for negligence. Contrary to Bubar's contention, the evidence presented at trial is sufficient to support the court's finding of negligence on the part of Bubar, and the award of damages to Weatherhead. *See Bernier v. Merrill Air Engineers*, 2001 ME 17, ¶ 7, 770 A.2d 97; *James v. MacDonald*, 1998 ME 148, ¶ 11, 712 A.2d 1054. Nor did the court err in refusing to find that Weatherhead Potato Corporation's maintenance supervisor, Albert Dionne, had apparent authority to execute a document that purported to be a release of the corporation's claims. *See QAD Investors, Inc. v. Kelly*, 2001 ME 116, ¶ 19, 776 A.2d 1244 ("Apparent authority exists only when the *conduct of the principal* leads a third party to believe that a given party is [its] agent.") (alteration in original) (quotations omitted).

The entry is:

Judgment affirmed.

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