

RICHARD W. MANTON

v.

DIANE GRUMT

Submitted on briefs January 17, 2002
Decided January 22, 2002

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

MEMORANDUM OF DECISION

Richard Manton appeals from a judgment entered in District Court (Biddeford, *Perkins, A.R.J.*) awarding him \$950 on overdue rent and awarding Diane Grumt \$8,435.32 in damages on her conversion counterclaim. Diane Grumt cross-appeals from the court's refusal to award her punitive damages. The assessment of the award of damages is a question for the fact finder, and we review such awards for clear error. *Maine Farmers Exchange v. McGillicuddy*, 1997 ME 153, ¶ 8, 697 A.2d 1266, 1270. Absent a showing of bias, prejudice, improper influence, disregard of facts, or mistake of law, we will not substitute our judgment for that of the fact finder. *Id.* (citing *S.H. Nevers Corp. v. Husky Hydraulics, Inc.*, 408 A.2d 676, 680 (Me. 1979)). We review the court's refusal to award punitive damages for an abuse of discretion. *Grover v. Minette-Mills, Inc.*, 638 A.2d 712, 718 (Me. 1994). Finding neither a clear error nor an abuse of discretion, we affirm the judgment.

The entry is:

Judgment affirmed.

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