

STATE OF MAINE  
ANDROSCOGGIN, ss.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. CV-01-62

*TD*

GERALD COTE, JR., )  
 )  
 Plaintiff )  
 )  
 v. )  
 )  
 NEW HAMPSHIRE INDEMNITY )  
 INSURANCE COMPANY, INC., )  
 )  
 Defendant )

ORDER GRANTING  
DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT

DONALD L. GARBRECHT  
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MAY 30 2002

After hearing on the Defendant's motion for summary judgment, the Court finds that there is no genuine issue as to any material fact and the Defendant is entitled to judgment as a matter of law. The Defendant complied with the Automobile Insurance Cancellation Control Act and canceled the Plaintiff's policy effective August 4, 1995 at 12:01 a.m. The coverage was no longer in effect when Gerald Cote was involved in an accident on August 4, 1995. *The notice requirement of 24-A M.R.S.A. § 294(i) is inapplicable because the policy had been effect less than 60 days. § 294(i) (\$8)*

It is therefore ORDERED that summary judgment be entered in favor of the Defendant, New Hampshire Indemnity Company, on the Plaintiff's Complaint. *No Costs awarded*

*The clerk shall incorporate this Order into the docket by reference. Rule 79(2).*

DATED: 05/10/02

  
Justice, Superior Court

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MAY 10 2002

ANDROSCOGGIN  
SUPERIOR COURT

GERALD COTE JR - PLAINTIFF

SUPERIOR COURT

ANDROSCOGGIN, ss.

Docket No AUBSC-CV-2001-00062

Plaintiff's Attorney: JOHN SEDGEWICK

vs

**DOCKET RECORD**

NEW HAMPSHIRE INDEMNITY INSURANCE COMPANY INC

Defense Attorney: BARRI BLOOM

Filing Document: COMPLAINT

Minor Case Type: CONTRACT

Filing Date: 04/25/2001

**Docket Events:**

09/25/2001 FILING DOCUMENT - COMPLAINT FILED ON 04/25/2001

09/25/2001 Party(s): 1  
ATTORNEY - RETAINED ENTERED ON 04/25/2001  
Attorney: JOHN SEDGEWICK  
ATTORNEY FOR PARTY 001 PLAINTIFF

09/25/2001 Party(s): 2  
ATTORNEY - RETAINED ENTERED ON 05/01/2001  
Attorney: BARRI BLOOM  
ATTORNEY FOR PARTY 002 DEFENDANT

09/25/2001 CERTIFY/NOTIFICATION - CASE FILE NOTICE SENT ON 05/01/2001

09/25/2001 Party(s): 2  
RESPONSIVE PLEADING - ANSWER FILED ON 05/01/2001

09/25/2001 ORDER - SCHEDULING ORDER ENTERED ON 05/08/2001  
THOMAS E DELAHANTY II, JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. DISCOVERY  
DEADLINE IS JANUARY8, 2002. COPIES MAILED ALL PARTIES.

09/25/2001 ASSIGNMENT - SINGLE JUSTICE ASSIGNED TO JUSTICE ON 05/08/2001  
THOMAS E DELAHANTY II, JUSTICE

09/25/2001 Party(s): 2  
SUMMONS - ACK OF RECEIPT OF SUMM/COMP FILED ON 05/10/2001

09/25/2001 Party(s): 1  
DISCOVERY FILING - NOTIFICATION DISCOVERY SERVICE FILED ON 08/10/2001  
NOTICE TO TAKE ORAL DEPOSITION PURSUANT TO RULE 30(B)(6) OF NEW HAMPSHIRE INDEMNITY  
INSURANCE COMPANY AND DUCES TECUM SERVED ON BARRI BLOOM, ESQ. ON AUGUST 9, 2001.

10/09/2001 Party(s): 2  
DISCOVERY FILING - NOTIFICATION DISCOVERY SERVICE FILED ON 10/09/2001  
DEFENDANT'S RESPONSE TO REQUEST FOR ADMISSIONS SERVED ON JOHN SEDGEWICK, ATTORNEY FOR  
PLAINTIFF ON OCTOBER 4, 2001.

11/13/2001 Party(s): 1