

STATE OF MAINE

YORK, ss.

LIBERTY INSURANCE
UNDERWRITERS, INC.,

Plaintiff

v.

WILLIAM HOWISON, ESQ.,
PERSONAL REPRESENTATIVE
OF THE ESTATE OF
PETER D. FAULKNER, et al.,

Defendants

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-06-18

PAF - York 1/10/07

Martica Douglas, Esq. - PL
William Leete, Jr., Esq. - DEFS
& James Cloutier, Esq.
(Karl & Robin Hoose)

Robert Mittel, Esq. - DEF.
(Blethen Maine Newspapers, Inc
John Rich, Esq. - DEF. - William
Howison, Esq. PR Est. of Peter
Faulkner)

Thomas Van Houten, Esq. - DEF.
(John Bshara, Jr.)

James Shirley, Esq. - DEF -
Cooke & Young Development LLC)
Gilles & Lorraine Fecteau - DE
(pro se)

Denise M. Bass - DEF - (pro se)
Claire Hussey - DEF - (pro se)

ORDER

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MAY 13 2007

Both Defendant Cooke & Young, LLC and the plaintiff filed motions for reconsideration of the orders and decision in this case of September 19, 2006. Both motions are denied.

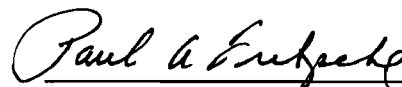
I have reexamined the current and earlier versions of 24-A M.R.S.A. §2411 and the opinions in *American Home Assurance v. Ingeneri*, 479 A.2d 897, 901 (Me. 1984), *Marchiori v. American Republic Insurance Co.*, 662 A.2d 932, 934 (Me. 1995) and *York Mutual Insurance Co. v. Bowman*, 2000 ME 27, ¶¶5-11, 746 A.2d 906, 907-9. The legislation and the opinions indicate that, other than taking the word "or" after "1. Fraudulent" and changing it to "and", the plaintiff must prove exactly what the legislation says it must in order to void the policy.

The entries are:

Defendant Cooke & Young, LLC's motion to reconsider is denied.

Plaintiff's cross-motion for reconsideration is denied.

Dated: January 10, 2007



Paul A. Fritzsche
Justice, Superior Court