

STATE OF MAINE
YORK, SS.

SUPERIOR COURT
CIVIL ACTION
Docket No. CV-2018-56

ROBERT M.A. NADEAU,)
Plaintiff,)

v.)

CAROL J. LOVEJOY, et al.,)
Defendants.)

DISMISSAL ORDER

On this date, the court has entered judgment for the Defendant in Robert M.A. Nadeau v. Travis Lovejoy, CV-2016-265. As a result of the court's actions in that matter, Count I in this matter is dismissed with prejudice against all defendants under M.R.Civ.P. 12(b)(6) for failing to state a claim upon which relief may be granted. In addition, to the extent necessary, Count IV is dismissed with prejudice against all defendants except Defendant Cynthia E. Magill. All defendants, with the exception of Defendant Magill, are awarded costs.

With this order, the only remaining defendant is Cynthia E. Magill and the counts remaining are Counts II, III, and IV.

With this order, all motions pending filed by dismissed defendants are MOOT.

The Clerk is directed to incorporate this Order by reference into the docket for this case, pursuant to Rule 79(a), Maine Rules of Civil Procedure.

Dated: May 21, 2019



JUSTICE, MAINE SUPERIOR COURT

STATE OF MAINE
YORK, SS.

SUPERIOR COURT
ALFRED
DOCKET NO.: CV-18-056

ROBERT M.A. NADEAU,)
)
 Plaintiff)
)
 v.)
)
 CAROL J. LOVEJOY, et al.,)
)
 Defendants)

ORDER ON PLAINTIFF'S VERIFIED
MOTION FOR SERVICE BY
ALTERNATE MEANS CONCERNING
DEFENDANT, CYNTHIA MAGILL


Upon the Court's review of the Plaintiff's Verified Motion for Service By Alternate Means Concerning Defendant, Cynthia Magill, the Court finds that the Plaintiff has demonstrated due diligence in attempting to obtain personal service of process in a manner otherwise prescribed by M.R.Civ.P. 4 or by applicable statute concerning that Defendant; that the Defendant is evading process; and, that the Plaintiff has demonstrated that the method of service proposed by the Plaintiff is reasonably calculated to provide actual notice of the lawsuit to the Defendant, Cynthia Magill, and is the most practical manner of effecting notice of the lawsuit.

Accordingly, the Court GRANTS the Plaintiff's motion and authorizes the Plaintiff to serve the Defendant, Cynthia Magill, by sending a copy of the Complaint, Summons, and this Order to that Defendant via regular mail to her last known address. The Plaintiff shall file a Return of Service with this Court pursuant to M.R.Civ.P. 4(h).

NOTICE TO THE DEFENDANT, CYNTHIA E. MAGILL: The Plaintiff has begun a lawsuit against you in the York County Superior Court, which holds sessions at P.O. Box 160, 45 Kennebunk Road, Alfred, ME 04002. If you wish to oppose this lawsuit, you or your attorney must prepare and serve a written Answer to the attached Substituted Complaint within 20 days from the day this Order was served upon you. You, or your attorney, must serve your Answer by delivering a copy of it to the Plaintiff whose name and address appear on the Summons. You or your attorney must also file the original of your Answer with the Court by mailing it to the address listed above. If you fail to serve an Answer within the time stated or if, after you file an Answer you fail to appear at any time the Court notifies you to do so, a Judgment by Default may be entered against you in your absence for the money damages or other relief demanded in the Substituted Complaint. If you intend to oppose this lawsuit, do not fail to Answer within the required time!

MAY 21 2019

Date



, Justice