

MAINE SUPREME JUDICIAL COURT

Reporter of Decisions
Decision No. Mem 26-17
Docket No. BCD-25-229

GOLDEN ANCHOR, L.C.

v.

TOWN OF BAR HARBOR

Submitted on Briefs November 25, 2025
Decided January 15, 2026

Panel: STANFILL, C.J., and MEAD, CONNORS, LAWRENCE, DOUGLAS, and LIPEZ, JJ.

MEMORANDUM OF DECISION

Golden Anchor, L.C., sought judicial review of a decision of the Bar Harbor Board of Appeals under Maine Rule of Civil Procedure 80B. In addition to the Rule 80B appeal, in its complaint and in a later-filed proposed amended complaint, Golden Anchor asserted twelve independent claims against the Town of Bar Harbor. *See* M.R. Civ. P. 80B(i). The Business and Consumer Docket (*Duddy, J.*) granted the Town's motion to dismiss the independent claims, determining that they were duplicative of the Rule 80B appeal because they were grounded in the same factual allegations and sought the same basic relief. Golden Anchor initiated this appeal from the court's interlocutory order dismissing the independent claims.

As Golden Anchor acknowledges, no final judgment exists in this matter, and appellate review of the order appealed from is therefore unavailable at this juncture unless an exception to the final judgment rule applies. *E.g., Safety Ins. Grp. v. Dawson*, 2015 ME 64, ¶ 6, 116 A.3d 948; M.R. Civ. P. 54(b)(1), 80B(n); Alexander, *Maine Appellate Practice* §§ 301-306 at 216-31 (6th ed. 2022). Golden Anchor has not met its burden to demonstrate that an exception applies

here. *See, e.g., Maples v. Compass Harbor Vill. Condo. Ass'n*, 2022 ME 26, ¶¶ 16-18, 273 A.3d 358; *Bruesewitz v. Grant*, 2007 ME 13, ¶¶ 7-8, 912 A.2d 1255; *State v. Me. State Emps. Ass'n*, 482 A.2d 461, 463-64 (Me. 1984). The harms Golden Anchor identifies would result, if at all, from the dismissal of its independent claims, not from delayed appellate review of the dismissal of its independent claims. We therefore dismiss the appeal without expressing any opinion on the merits of the order appealed from.

The entry is:

Appeal dismissed.

Timothy C. Woodcock, Esq., and Janna L. Gau, Esq., Katahdin Law, Bangor, for appellant Golden Anchor L.C.

Stephen W. Wagner, Esq., and Jonathan P. Hunter, Esq., Rudman Winchell, Bangor, for appellee Town of Bar Harbor

Business and Consumer Docket docket number APP-2025-6
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