

Decision: 1999 ME 55  
Docket: Was-98-318  
Argued: December 1, 1998  
Decided: April 13, 1999

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

EVELYN SMITH et al.

v.

TOWN OF JONESBORO

PER CURIAM

Evelyn Smith appeals from a judgment entered in the Superior Court (Washington County, Marden, J.) granting the Town of Jonesboro's motion for a judgment as a matter of law because the Smiths failed to present expert testimony on whether the Town's volunteer fire department breached its duty of care when attempting to suppress a fire in the Smiths' house and whether that breach proximately caused the destruction of the Smiths' house. Because the Court is evenly divided, we affirm the judgment.

The entry is:

Judgment affirmed.

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