

Date filed: 01/22/25

CUMBERLAND  
COUNTY

Justice O'Neil

Docket No. AP-25-04

Action: 80C Appeal

First Tracks Investments LLC

Vs.

Milton Champion

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Appellee/Plaintiff's Attorney

Appellant/Defendant's Attorney

Michael Cianchette, Esq  
Manager of First Tracks Investments LLC  
42 Market Street  
Portland, ME 04101

Philip Mantis AAG  
Office of the Attorney General  
6 State House Station  
Augusta, ME 04333-0006

Andre Duchette Esq.  
Taylor McCormack & Frame LLC  
267 Commercial St.  
Portland, ME 04101

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Date of Entry  
2025

Jan 23	Received 1/22/25. Petitioner's Verified Complaint and Petition for 80C Review and Stay or Preliminary Injunction filed. Petitioner's Motion for Temporary Restraining Order filed.
" "	On 1/23/25 Assigned to Justice O'Neil. Sent upstairs for guidance on TRO.
Jan. 29	Received 1/29/25. Entry of appearance of Andre Duchette, Esq. on behalf of Petitioner filed.
" "	Letter from Andre Duchette, Esq. on behalf of Petitioner requesting Court Review pending Motion for Temporary Restraining Order.
" "	On 1/29/25. File returned.

Jan. 29      On 1/29/25.  
As to Petitioner's Motion for Temporary Restraining Order:  
Motion denied, no service, no ex parte request. (Justice O'Neil signed 1/29/25)  
Copies to counsel 1/30/25.

Jan. 31.      Received 1/31/25.  
Petitioner's Motion for Ex Parte Temporary Restraining Order (Expedited  
Hearing) with Statement of Facts, Exhibits A, B & C & proposed order filed.

" "      On 1/31/25.  
Sent to Justice O'Neil for review.

Feb. 4      Received 2/3/25.  
Entry of Appearance of Philip Mantis AAG on behalf of Respondents filed.

" "      On 2/4/25.  
As to Petitioner's Motion for Ex Parte Temporary Restraining Order:  
The motion is denied due to its ex parte nature. Clerk to set ½ hour  
hearing this week. (Justice O'Neil signed 2/4/25)  
Copies to counsel/parties via email & hard copy 2/4/25.

Feb. 4      On 2/4/25.  
Hearing on Petitioner's Motion for Temporary Restraining Order scheduled  
for **Thursday, 2/6/25, at 11:00 a.m. in Courtroom 1**. Notice mailed to  
Counsel via email only due to time sensitivity.

Feb. 5      On 2/5/25.  
File given to Justice O'Neil.

Feb. 6      On 2/6/25.  
Hearing held on Petitioner's Motion for Temporary Restraining Order.  
Court takes matter under advisement.  
Justice John O'Neil, Jr. presiding; Andre Duchette, Esq for Petitioner;  
Philip Mantis AAG for Respondent. Digitally recorded Courtroom 1  
10:56:15-11:27:43.

Feb. 6 Received 2/7/25.  
Temporary Restraining Order filed. (Justice John O'Neil - signed 2/7/25)  
The court grants the petitioner's request for a temporary restraining order.  
It is therefore hereby ordered that the decision of the Director dated  
January 17, 2025 is stayed pending final agency action.  
Copies to counsel/parties via email and USPS 2/7/25.

Feb. 19 Received 2/19/25.  
Respondents' Consent Motion to Stay Proceedings filed.

" " On 2/19/25.  
Sent to Justice O'Neil for review.

March 3 On 2/28/25.  
File returned.

" " On 2/28/25.  
As to Consent Motion to Stay Proceedings:  
Motion granted. (Justice O'Neil signed 2/28/25)  
Copies to counsel/parties 3/3/25.

July 13 On 7/13/25.  
Sent to Justice McElwee for review

Aug. 5 Received 7/28/25.  
Letter from Petitioner's attorney, Andre Duchette, Esq. requesting a status  
Conference with the Court to discuss the future course of proceedings filed.

" " On 8/4/25.  
File returned.

Sept. 5 On 9/5/25.  
Notice of hearing for Petitioner's Motion for Special Assignment/Consolidation  
With AP-25-04 and Petitioner's Motion for Stay of Final Agency Action  
Scheduled for 10/3/25 at 1:00 p.m. mailed counsel of record.

Sept. 18 On 9/18/25.  
Corrected Notice of hearing for Petitioner's Motion for Special  
Assignment/Consolidation With AP-25-04 and Petitioner's Motion for Stay of  
Final Agency Action scheduled for 10/3/25 at 1:00 p.m. correcting courtroom  
location from 9 to 8 mailed counsel of record.

Sept. 30      On 9/30/25.  
File given to Law Clerk.

Oct. 23      On 10/3/25.  
Hearing held on pending motions.  
Parties agree to consolidation and bifurcation of Counts 1, 2 and 3. Proposed  
briefing schedule to be submitted to Court.  
Court takes motion to stay under advisement.  
Justice O'Neil Presiding; Andre Duchette, Esq for Petitioner; Philip Mantis AAG  
for Respondent; Digitally Recorded Courtroom 8 1:01-:1:24 pm.

Oct. 23      Received 10/22/25.  
Consented to Briefing Schedule filed.  
A hearing was held on 10/3/25 in this matter addressing several  
Petitioner's Brief - 10/31/25.  
Respondents Brief - 11/21/25  
Petitioner's Reply - 12/3/25.

Dec. 3      Received 10/31/25.  
Petitioner's Rule 80C Merits Brief and Motion for Judgment on the Pleadings  
Count III filed.

" "      Received 11/21/25.  
Respondent's Reply Brief w/thumb drive filed.

Dec. 16      Received 12/11/25.  
Reply Brief of Petitioner on 80C Claim and Motion for Judgment on the Pleadings  
on Count II (Declaratory Judgment) filed.

" "      On 12/16/25.  
Court takes matter under advisement.