

Date filed: 01/22/25

CUMBERLAND
COUNTY

Justice O'Neil
Docket No. AP-25-04

Action: 80C Appeal

First Tracks Investments LLC

Milton Champion

Vs.

Appellee/Plaintiff's Attorney

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

Appellant/Defendant's Attorney

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

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.