

Michael T. Bigos
(207) 784-3576
mbigos@bermansimmons.com

February 11, 2025

Matthew Pollack, Esq., Clerk of Court
Maine Supreme Judicial Court
205 Newbury Street, Rm. 139
Portland, ME 04101-4125

Re: *Dupuis, et al v. the Roman Catholic Bishop of Portland (2025 ME 6)*
Motion for Reconsideration

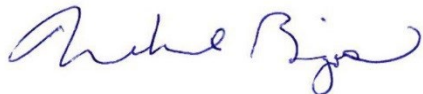
Dear Mr. Pollack:

Enclosed for filing in the above captioned matter please find Plaintiff-Appellees' Motion for Reconsideration. M.R. App. P. 14(b).

In accordance with this Court's Fee Schedule, payment in the amount of \$125.00 is being remitted to the Court today via hand delivery.

Thank you for your attention to this matter.

Sincerely,



Michael T. Bigos
Me. Bar No. 9607

cc: Gerald F. Petruccelli, Esq. (*Roman Catholic Bishop of Portland*)
Michael K. Martin, Esq. (*Roman Catholic Bishop of Portland*)
James B. Haddow, Esq. (*Roman Catholic Bishop of Portland*)
Scott D. Dolan, Esq. (*Roman Catholic Bishop of Portland*)
Asst. Attorney General Jason D. Anton, Esq. (*State of Maine*)
Timothy M. Kenlan, Esq. (*Robert E. Dupuis, et al*)
Charles M. King, Esq. (*Robert E. Dupuis, et al*)
Joseph G.E. Gousse, Esq. (*Robert E. Dupuis, et al*)

STATE OF MAINE

SUPREME JUDICIAL COURT
SITTING AS THE LAW COURT
LAW DOCKET NO.: BCD-23-122

ROBERT E. DUPUIS, ET AL.,

Appellees,

v.

ROMAN CATHOLIC BISHOP OF
PORTLAND,

Appellant.

**APPELLEES' MOTION FOR
RECONSIDERATION PURSUANT
TO M.R. App. P. 14(b)**

Appellees respectfully move this Court to reconsider its holding in *Dupuis, et al. v. the Roman Catholic Bishop of Portland*, 2025 ME 6, because the Majority Opinion did not analyze the question presented under Article I, Section 6-A of Maine's Constitution—the due process clause that determines whether legislative impairment of a right is constitutional.

The Majority in *Dupuis* concluded that the right to be free from expired claims is a vested right arising from and protected by Maine's Constitution. Appellees do not dispute that issue here. But whether and how much *any* right may be impaired must be determined by applying a due process analysis under the Maine Constitution. *See, e.g., MSAD 6 Bd. of Dirs. V. Town of Frye Island*, 2020 ME 45, ¶ 48, 229 A.3d 514, 526 (explaining that the methods of substantive due process analysis differ between impairments that implicate fundamental rights and those that

implicate all other non-fundamental rights). The Majority held that a vested right may never be impaired or abrogated under any circumstance without first conducting this due process analysis. *See Dupuis*, 2025 ME 6, ¶ 53 (“[V]ested rights . . . are not subject to destruction, however compelling the reason for destroying the right.”). In doing so, the Majority overlooked Section 6-A. Under the plain language of Section 6-A, no right—vested or otherwise—is absolute, and State impairment of any right is subject to due process scrutiny. It is only the level of scrutiny that must be applied to the impairment of a right that this Court must determine. That did not happen here.

In finding absolute constitutional protection for vested rights, the Majority misapprehended the plain language of the Constitution and impermissibly limited the Legislature’s constitutional authority. Maine’s Constitution gives the Legislature “full power to make and establish all reasonable laws for the defense and benefit of the people of this State” that are “not repugnant to this Constitution.” Me. Const. art. IV, p.3, § 1. And Section 6-A allows the State to regulate its citizens’ rights to “life, liberty or property” so long as it provides “due process of law.” Me. Const. art. I, § 6-A. The Legislature is therefore empowered to make and establish any law that impairs citizens’ rights so long as the law provides due process.

To conclude otherwise renders the phrase “without due process of law” in Section 6-A superfluous. The Majority’s opinion in *Dupuis* thus segregates vested rights as uniquely free from impairment, whether due process is satisfied or not. In

so holding, the Majority overlooked the plain language of Maine’s due process clause and unconstitutionally limited the Legislature’s authority to enact laws that satisfy due process.

REQUESTED RELIEF

Appellees thus respectfully request that this Court reconsider its opinion and decide the question presented under the controlling constitutional provision—Section 6-A. Because the due process clause defines the limit of legislative authority, the answer to whether the Legislature may deprive a citizen of their vested property right to be free from an expired claim must be: “Yes, if the deprivation satisfies due process.” All this Court need decide is whether vested property rights are fundamental or not, and instruct the trial court to apply the proper level of scrutiny on remand to determine whether the specific statute being challenged satisfies due process.

STANDARD OF REVIEW

A motion for reconsideration must “state with particularity the points of law or fact that the moving party asserts the Court has overlooked or misapprehended.” M.R. App. P. 14(b)(1)(A). If the motion and argument show that the Court has overlooked or misapprehended relevant law or material facts, the motion should be granted. *See Somerset Tel. Co. v. State Tax Assessor*, 2021 ME 26, 259 A.3d 97 (granting reconsideration where the original opinion did not address an argument

raised on appeal); *McCormick v. LaChance*, 2011 ME 112, 32 A.3d 1037 (granting reconsideration where the original opinion misapprehended the facts and procedural history preceding the judgment being appealed); *Guardianship of Golodner*, 2017 ME 54, 157 A.3d 762 (granting reconsideration where the Court misapprehended legal doctrines requiring it to address the merits of an appeal).

THE *DUPUIS* MAJORITY OPINION

The question before the Law Court in *Dupuis* was “whether the retroactive application of the removal of a statute of limitations after a plaintiff’s claim has been extinguished by a preexisting statute of limitations violates the Maine Constitution.” *Dupuis*, 2025 ME 6, ¶ 10. The question came to the Court through a report on an interlocutory ruling. M.R. App. P. 24(c). The appeal therefore represented a purely legal question. The Court was asked to determine whether any statute that retroactively enlarged the statute of limitations for an expired claim could ever be constitutional.¹

The Majority applied a holistic “multi-factor test” to construe the Constitution, “examining text and structure, history and purpose, social understandings and values as reflected in statutes and the common law,” and other factors. *Dupuis*, 2025 ME 6, ¶ 11. The Majority held that the Legislature’s

¹ The question arose in the context of civil litigation, not criminal law, so it did not implicate the ex post facto prohibition enshrined in Maine’s Constitution. *See* Me. Const. art. 1, § 11 (“The Legislature shall pass no . . . ex post facto law.”).

retroactive removal of the statute of limitations for expired claims was unconstitutional for three general reasons:

- First, Law Court precedent had “already addressed the issue” in dicta and repeatedly stated “that a claim cannot be revived after its statute of limitations has expired.” *Id.* at ¶¶ 12-17;
- Second, the Constitution confirmed that a claim cannot be revived after the expiration of its statute of limitations. *Id.* at ¶ 18; and
- Third, the common law, flowing “inexorably from the anti-retroactivity theme permeating our constitutional text,” prohibited the revival of claims after their statutes of limitations expired. *Id.* at ¶ 33.

The Majority did not examine the plain language of Section 6-A. The Majority did not address Section 6-A’s delineation of the Legislature’s constitutional authority. The Majority opinion is incomplete because it did not address whether the infringement of a vested right satisfies due process.

ARGUMENT

The Majority overlooked and misapprehended the law in two ways. First, it incorrectly applied rules of construction in interpreting the Constitution. Where the controlling constitutional provision is unambiguous—as is Section 6-A—the Court gives effect to the plain language, rather than expanding its purview to the “multi-factor test” that the Majority used. This rule of construction is rooted in Maine’s history. *See, e.g., Hobbs v. Getchell*, 8 Me. 187, 191 (1832) (“We feel it our duty to

be governed by the plain language of the constitution as it stands.”). The plain language of Section 6-A constrains the Legislature from impairing rights only when it does so without providing “due process of law.” Me. Const. art. I, § 6-A. In other words, *all* rights may be subject to Legislative impairment so long as the Legislature does so in a way that satisfies due process protections.

Second, the Majority impermissibly limited the constitutional authority of the Legislature by abandoning any due process analysis. Section 6-A permits the State to infringe any right so long as there is due process of law. The Majority’s abrogation of the Legislature’s authority to legislate impermissibly impairs a co-equal constitutional branch of government, disregards the Legislature’s authority to exercise its police powers, and thus violates the plain language of Maine’s Constitution.

Put bluntly—by engaging in a protracted analysis that circumvented the plain language of the due process clause, and thus avoiding a due process analysis, the Majority unconstitutionally limited the Legislature’s authority.

1. The Majority overlooked the plain language of the Due Process Clause of Maine’s Constitution.

A. Where the plain language of the Constitution is unambiguous, the Court must apply the language as written.

“One of the cardinal rules of construction applied to Constitutions is that, where the language of the Constitution is unambiguous, resort cannot be had to

outside sources; and never to create a doubt where no ambiguity exists.” *Opinion of the Justices*, 125 Me. 529, 133 A.265, 268 (1926). The *Dupuis* Majority did not attempt to determine whether the plain language of the Maine Constitution answered the question presented. Instead, the Majority skipped over plain language review and construed the Constitution with a “multi-factor test . . . examining text and structure, history and purpose, social understandings and values as reflected in statutes and the common law, economic and sociological considerations, and precedent from elsewhere to the extent we find it persuasive.” *Dupuis*, 2025 ME 6, ¶ 11.

Respectfully, the Court misapprehended the standards for constitutional construction. When interpreting the Constitution, the Court must first decide whether the language at issue is ambiguous. If not, the inquiry ends there, and the Court must apply the plain language of the Constitution. *See Parker v. Dep’t of Inland Fisheries and Wildlife*, 2024 ME 22, ¶ 19, 314 A.3d 208, 215 (quoting *Avangrid Networks, Inc. v. Sec’y of State*, 2020 ME 109, ¶ 14, 237 A.3d 882). If the language is ambiguous, only then does the Court look to the “purpose and history” of the constitutional provision, along with other outside sources identified in the multi-factor test defined by the majority. *Id.*

This “multi-factor test,” as stated by the Majority, is a recent addition to Maine jurisprudence, created by the Law Court less than two years ago when it borrowed these criteria from other states construing their own state constitutions. *See State v.*

Moore, 2023 ME 18, ¶ 18, 290 A.3d 533, 539 (“Although we have not previously identified the criteria that we will review in our analysis of our state constitution, courts in other jurisdictions have identified the criteria for analyzing their state constitutions.”).

But even though the Court in *Moore* stated that it had never “previously identified the criteria” that it used to analyze the Constitution, the Court has actually spoken on the issue many times. In fact, as recently as last year, four justices of the five-member *Dupuis* Majority agreed that when the Court must “determine whether the Maine Constitution and a Maine statute conflict, [it looks] primarily to the plain language of both.” *Parker*, 2024 ME 22, ¶ 18; *see also State v. Reeves*, 2022 ME 10, ¶ 43, 268 A.3d 281, 292 (“When interpreting the Maine Constitution, we look primarily to the language used.”) (unanimous opinion).

The Court in *Parker* explained that it construes “constitutional provisions by using the same principles of construction” as it uses to interpret statutes. *Id.* at ¶ 19 (quoting *Avangrid*, 2020 ME 109, ¶ 14). Thus, it applies “the plain language of the constitutional provision if the language is unambiguous, and if the provision is ambiguous, [it determines] the meaning by examining the purpose and history surrounding the provision.” *Id.*

Construing the Constitution by examining the plain language of its provisions is a recognized legal standard that spans Maine’s history. *See Hobbs*, 8 Me. at 191

(1832) (“We feel it our duty to be governed by the plain language of the constitution as it stands.”); *Opinion of the Justices*, 99 Me. 515, 60 A. 85, 91 (1905) (“[W]hen a law is plain and unambiguous, whether it be expressed in general or limited terms, the Legislature or framers of a Constitution should be intended to mean what they have properly expressed, and consequently no room is left for construction.”); *Opinion of the Justices*, 125 Me. 529, 133 A. 265, 269 (1926) (“Possible or even probable meanings when one is plainly declared in the instrument itself the courts are not at liberty to search for.”); *Farris ex rel. Dorsky v. Goss*, 143 Me. 227, 230, 60 A.2d 908, 910 (1948) (stating that the Court looks “primarily to the language used” in construing the constitution); *Allen v. Quinn*, 459 A.2d 1098, 1100 (Me. 1983) (“In interpreting our State Constitution, we look primarily to the language used.”); *State v. Reeves*, 2022 ME 10, ¶ 43, 268 A.3d 281, 292 (“When interpreting the Maine Constitution, we look primarily to the language used.”).

To be clear, if the Majority found that the language of Section 6-A was ambiguous, then it would be justified in “examining the purpose and history surrounding the provision.” *Parker*, 2024 ME 22, ¶ 19. But it skipped that step. The Majority erred by applying the multi-factor test without first examining the plain language of Section 6-A.

The plain language of Section 6-A unambiguously says that the State may impair property rights—or fundamental rights, for that matter—as long as the

impairment satisfies “due process of law.” Me. Const. art. I, § 6-A. Because Section 6-A defines the limits of the legislative authority, its interpretation is dispositive.

B. Maine’s due process clause controls the question presented because vested rights arise from and are protected by Maine’s due process clause.

The Majority is bound to analyze the language of Section 6-A—the due process clause—to answer the question presented because Section 6-A is the source of the vested rights whose infringement is being challenged.² As this Court has repeatedly held, the protections afforded vested rights lie in our Constitution’s due process clause. *See, e.g., Kirkpatrick v. City of Bangor*, 1999 ME 73, ¶ 13, 728 A.2d 1268, 1271 (“The due process clause of the Maine and federal Constitutions guarantee due process before the state deprives a citizen of a property right.”); *NECEC Transmission LLC v. Bureau of Parks and Lands*, 2022 ME 48, ¶ 42, 281 A.3d 618, 633 (“Constitutional protection of vested rights properly resides in Maine’s due process clause.”). Indeed, on the due process question, the Court need only follow its prior holdings. *See Kittery Retail Ventures, LLC v. Town of Kittery*, 2004 ME 65, ¶ 32, 856 A.2d 1183, 1193 (“Vested rights may constitute property subject to the arbitrary and capricious substantive due process protections.”).

² To be clear, the due process clause is explicitly expressed and preserved in article I, section 6-A of Maine’s Constitution. *See NECEC*, 2022 ME 48, ¶ 41, 281 A.3d 618, 633 (“NECEC argues that vested rights are properly viewed as arising from the Maine Constitution’s due process clause, article I, section 6-A. *We agree.*”) (emphasis added).

To determine whether legislation impairing a vested right is constitutional, the Court must start with the Constitution. But the Majority here departed from that practice—erroneously skipping the plain language analysis and proceeding straight to a “multi-factor test” that should be performed *only* if the constitutional provision being examined is ambiguous. *Compare Dupuis*, 2025 ME 6, ¶¶ 11 (“We apply a multi-factor test to construe our Constitution.”) and *Opinion of the Justices*, 2017 ME 100, ¶ 58, 162 A.3d 188, 209 (“Our construction of the Maine Constitution depends primarily on its plain language.”).

This misapplication of the proper standard of constitutional interpretation requires reconsideration. If a governmental action impairs a vested right, the constitutionality of that action must be determined by construing the plain language of Section 6-A. And under Section 6-A, the Legislature has the authority to impair a vested right if the impairment satisfies due process. The Majority overlooked Section 6-A and misapprehended the rules of constitutional interpretation in holding otherwise.

2. The Majority’s result unconstitutionally limited the co-equal authority of the Legislature.

The language of Maine’s due process clause is unambiguous. “No person shall be deprived of life, liberty or property without due process of law. . . .” Me. Const. art. I, § 6-A. As a necessary consequence of the language in Section 6-A, the reverse is also true. If the State cannot deprive rights without due process, then it can deprive

rights with due process. *See Opinion of the Justices*, 2017 ME 100, ¶ 58 (“Our construction of the Maine Constitution depends primarily on its plain language, which is interpreted to mean whatever it would convey to an intelligent, careful voter.”) (internal quotation omitted).

As this Court has noted, all rights granted under the Constitution are “subject to article IV, part 3, section 1 of the Maine Constitution, which grants the Legislature ‘full power to make and establish all reasonable laws and regulations for the defense and benefit of this State, not repugnant to this Constitution.’” *In re J.*, 2022 ME 34, ¶ 14, 276 A.3d 510, 516 (quoting Me. Const. art. IV, pt. 3, § 1). Thus, the Legislature may deprive a person of “life, liberty or property” if its method of doing so complies with due process. To name just a few examples, the State, through the proper exercise of due process, is empowered to impair rights as fundamental as the right to raise one’s own children³ or the right to liberty,⁴ among others.⁵

³ *See Curtis v. Medeiros*, 2016 ME 180, ¶ 13, 152 A.3d 605, 610-11 (determining that parents’ fundamental right to determine the care, custody, and control of their children could be disturbed under strict scrutiny substantive due process analysis).

⁴ *See Green v. Comm’r of Mental Health and Mental Retardation*, 2000 ME 92, ¶ 15, 750 A.2d 1265, 1270 (“It is well established that the State may confine someone who is both mentally ill and who poses a danger to society.”).

⁵ *See Doe I v. Williams*, 2013 ME 24, ¶¶ 65-66, 61 A.3d 718, 738 (recognizing that the “rights expressly protected by the Bill of Rights” as well as other specially protected rights like marital rights, marital privacy, the right to contraception, and the right to bodily integrity are all subject to due process protections and therefore may be impaired if the impairment meets strict scrutiny requirements).

As the Majority itself stated, vested rights are like property rights. *See Dupuis*, 2025 ME 6, ¶ 47 n.31 (equating vested rights to property). Because the Legislature has the constitutional authority to infringe on property rights—and even to infringe on fundamental rights—so long as due process is satisfied, the Legislature necessarily has the authority to infringe on *vested* rights so long as its method of doing so satisfies due process. The Majority’s holding otherwise unconstitutionally limits the authority granted to the Legislature by the plain language of the Maine Constitution.

3. The Court should instruct the parties and trial court how to proceed.

Maine’s substantive due process analysis “turns on whether the challenged state action implicates a fundamental right.” *Doe I v. Williams*, 2013 ME 24, ¶ 65, 61 A.3d 718, 737. If the state action “infringes a fundamental right or fundamental liberty interest, the infringement must be narrowly tailored to serve a compelling state interest.” *Id.* at ¶ 66. This is otherwise known as strict scrutiny. Fundamental rights include those protected by the Bill of Rights—for example speech, religion, assembly—as well as “the rights to marry, to have children, to direct the education and upbringing of one’s children, to marital privacy, to use contraception, to bodily integrity, and to abortion.” *Id.*⁶

⁶ The above list not only exemplifies the deep reverence that our Constitution expresses for our most sacrosanct civil rights, but highlights the difficulty in determining whether a vested right is fundamental or not. After all, if every one of the above “fundamental rights” may be infringed by the State in accord with due process, then why are vested rights *absolute*? The Majority’s decision in *Dupuis* has elevated

The Law Court has never categorized whether a vested right as fundamental or not. Indeed, the Majority did not identify vested rights as fundamental rights throughout its 40-page opinion. The closest it came was to say that vested rights are like property rights. *See Dupuis*, 2025 ME 6, ¶ 47 n.31 (“A vested right is equal or similar to a species of property. . . .”). But the Court has implied, in dicta, that challenges to due process violations of protectable property interests, including vested rights, *could be* subject to rational basis review. *See Kittery Retail Ventures*, 2004 ME 65, ¶ 32 (stating that “[v]ested rights may constitute property subject to the arbitrary and capricious substantive due process protections.”) (cleaned up). Under rational basis review, the state action will be upheld so long as “it is reasonably related to a legitimate state interest.” *Doe I*, 2013 ME 24, ¶ 66.⁷

vested property rights over and above the most fundamental civil rights in our constitutional jurisprudence. This could be partly due to the Majority’s reliance on property rights upheld in pre-Civil War state and federal jurisprudence to decide an issue that implicates post-Civil War, even post-WWII, civil rights. After all, Maine’s due process clause, Article 1, Section 6-A, was not adopted until 1963. *See Dupuis*, 2025 ME 6, ¶ 20 n.13.

⁷ The State, and therefore the Legislature, has broad authority inherent in the exercise of its police power. “When the State exercises its police power to regulate for the general welfare and a fundamental right is not at issue, statutes are subjected to rational basis review.” *MacImage of Maine, LLC v. Androscoggin Cnty.*, 2012 ME 44, ¶ 30, 40 A.3d 975, 987 (quotation omitted). The Majority’s holding improperly precludes any consideration of circumstances in which the infringement of vested rights occurs through the State’s use of the police power. After all, the “legislature, in the exercise of the police power of the State, does not violate substantive due process if its exercise of that power is reasonable.” *Nat’l Hrg. Aid Ctrs., Inc. v. Smith*, 376 A.2d 456, 460 (Me. 1977). “Reasonableness in the exercise of the State’s police power requires that the purpose of the enactment be in the interest of the public welfare and that the methods utilized bear a rational relationship to the intended goals.” *Nat’l Hrg.*, 376 A.2d at 460. The movants claim, and intend to prove in the trial court, that the exercise of legislative authority in 14 M.R.S. § 752-C was performed in furtherance of the Legislature’s police power. The Majority’s decision precludes the opportunity to prove that the Legislature was lawfully operating under the police power. Thus, the constitutionality of Section 752-C must be determined under rational basis review.

* * *

The question presented in *Dupuis* thus presents the Court with two options. If a vested right is a fundamental right, then its impairment is constitutional only where it is narrowly tailored to serve a compelling state interest. If a vested right is *not* a fundamental right, then its impairment is constitutional if the statute is not arbitrary or capricious and is reasonably related to a legitimate government interest. But to hold that all statutes that impair vested rights are unconstitutional—as the Majority did—regardless of the governmental interest and regardless of whether the statute is narrowly tailored or reasonably related to that government interest, misapprehends and overlooks the legislative authority delegated in Section 6-A.

At this point, determining a purely legal question on a report from an interlocutory ruling, the Court cannot determine whether the specific statute at issue, 14 M.R.S. § 752-C, is constitutional. It can only tell the parties and the trial court what hurdles the challengers to the statute must overcome to prove that Section 752-C is *not* constitutional.⁸ Once the trial court understands the test the challengers to Section 752-C must meet, it can decide the specific issue of Section 752-C’s constitutionality under whatever level of scrutiny this Court deems appropriate.

⁸ All statutes “enjoy a heavy presumption of constitutionality,” and anyone challenging a statute’s constitutionality “bears a heavy burden.” *In re J.*, 2022 ME 34, ¶ 12, 276 A.3d 510, 516.

CONCLUSION

The Majority overlooked the required due process analysis to determine whether a statute that impaired vested rights was constitutional. It misapprehended and misapplied the standard of constitutional construction required to determine whether the language at issue was unambiguous *before* looking at other factors and instead proceeded directly to examine factors beyond the plain constitutional text. It unconstitutionally limited the Legislature’s co-equal authority under the Constitution, restricting the Legislature’s unambiguous prerogative to impair vested rights so long as due process is satisfied.

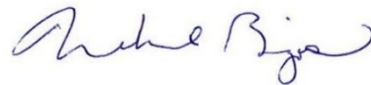
The Majority’s failure to engage in a due process analysis requires reconsideration. M.R. App. P. 14(b)(1)(A). To the question presented— “whether the retroactive application of the removal of a statute of limitations after a plaintiff’s claim has been extinguished by a preexisting statute of limitations violates the Maine Constitution”—the Majority effectively answered, “Yes, under any circumstances.” *See Dupuis*, 2025 ME 6, ¶ 10. But the answer required by the Maine Constitution is that the retroactive removal of a statute of limitations after a claim has been extinguished violates the Maine Constitution *only where due process is violated*.

The Appellees-Movants therefore respectfully request that the Court grant the motion for reconsideration and answer the question presented by determining the level of scrutiny Maine courts must give to such statutes to determine its

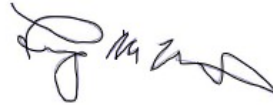
constitutionality. The Court should then remand the matter to the trial court to proceed with its own determination of whether the statute at issue violates the constitution under whatever level of scrutiny this Court deems appropriate.

Respectfully Submitted,

Dated: February 11, 2025



Michael T. Bigos, Esq.
Maine Bar No. 9607



Timothy M. Kenlan, Esq.
Maine Bar No. 5017



Charles M. King, Esq.
Maine Bar No. 10221



Joseph G.E. Gousse, Esq.
Maine Bar No. 5601
Berman & Simmons, P.A.
P.O. Box 961
Lewiston, ME 04243-0961
(207) 784-3576
Attorneys for Plaintiff-Appellees,
Robert E. Dupuis, *et al*
bigosservice@bermansimmons.com

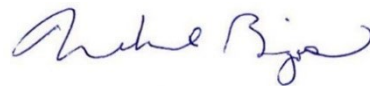
CERTIFICATE OF SERVICE

I, Michael T. Bigos, Esq., hereby certify that copies of Plaintiff-Appellees' Motion for Reconsideration were served upon counsel at the addresses set forth below by email on February 11, 2025, followed by physical service thereafter:

Gerald F. Petruccelli, Esq.
Michael K. Martin, Esq.
James B. Haddow, Esq.
Scott D. Dolan, Esq.
Petruccelli, Martin & Haddow, LLP
P.O. Box 17555
Portland, ME 04112-8555
gpetruccelli@pmhlegal.com

Jason Anton, Assistant Attorney General
Office of the Maine Attorney General
6 State House Station
Augusta, ME 04333-0006
jason.anton@maine.gov

Dated: February 11, 2025



Michael T. Bigos, Esq.
Maine Bar No. 9607
Berman & Simmons, P.A.
P.O. Box 961
Lewiston, ME 04243-0961
(207) 784-3576
bigosservice@bermansimmons.com
*Attorney for Plaintiff-Appellees,
Robert E. Dupuis et al*

STATE OF MAINE

SUPREME JUDICIAL COURT
SITTING AS THE LAW COURT
LAW DOCKET NO.: BCD-23-122

ROBERT E. DUPUIS, ET AL.,

Appellees,

v.

ROMAN CATHOLIC BISHOP OF
PORTLAND,

Appellant.

PROPOSED ORDER

Plaintiff-Appellees have moved for relief in the form of an Order granting Reconsideration of this Court's decision in *Dupuis, et al v. the Roman Catholic Bishop of Portland* (2025 ME 6).

After careful consideration, this Court hereby GRANTS Plaintiff-Appellees' instant Motion for Reconsideration.

This Court will proceed forthwith in accordance with M.R. App. P. 14(b).

Dated: _____

JUSTICE, MAINE SUPREME JUDICIAL COURT