

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>RICHARD E. KAPLAN,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 05-144-B-H</b>
	)	
<b>FIRST HARTFORD</b>	)	
<b>CORPORATION AND</b>	)	
<b>NEIL ELLIS,</b>	)	
	)	
<b>DEFENDANTS</b>	)	

**ORDER ON DEFENDANT FIRST HARTFORD CORPORATION'S MOTION FOR  
ADDITIONAL FINDINGS OF FACT AND CONCLUSIONS OF LAW**

First Hartford Corporation's ("FHC") motion is **DENIED**.

After a bench trial, in my Findings of Fact and Conclusions of Law dated April 2, 2007, I found oppression under Maine's business corporations statute, 13-C M.R.S.A. § 1430. I concluded then that the record (which included the parties' agreement to defer discovery on one available remedy) did not permit me to decide what equitable relief to order under 13-C M.R.S.A. § 1434(2). Nothing has changed. The fact that I expressed skepticism over some kinds of relief does not prompt me to take them entirely off the table. I note the disagreement between the parties over the effect of my ruling on FHC's business (specifically, between FHC vice president Harding and Kaplan's real estate expert Guillaem Aertsen). I also note the expressed views (by affidavits) of two additional

shareholders. They do not change my conclusion that the matter must proceed with all remedies open. Oral argument (requested by Kaplan) on the motion for additional findings is therefore unnecessary.

**So ORDERED.**

**DATED THIS 21ST DAY OF MAY, 2007**

/s/D. Brock Hornby  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**

**U.S. DISTRICT COURT  
DISTRICT OF MAINE (PORTLAND)  
CIVIL DOCKET FOR CASE #: 1:05CV144 (DBH)**

**Richard E. Kaplan**

**Plaintiff**

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**v.**

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**and**

**Neil Ellis**

**Defendants**

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