

Paul F. Driscoll - Member

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Paul Driscoll is a very experienced commercial lawyer and represents real estate developers in both commercial and residential projects throughout the State of Maine. Paul is involved in project conception, acquisition, entity formation, financing, permitting, construction, sales and occupancy and related land-use dispute resolution. Paul routinely appears before municipal planning boards, environmental agencies and regulators for clients throughout Maine. Paul has good and long-time working relationships with project engineers, surveyors, lenders, investors and public relations specialists. Another facet of Paul's practice is serving as retained counsel for several national title insurance carriers defending insureds in title disputes through trial and appeal. Paul has also served as lead trial counsel on several large breach of contract cases and shareholder disputes.

Another facet of Paul's practice is serving as retained counsel for national title insurance companies to defend property titles challenged by abutters and others seeking to preclude the use of properties for insured purposes. He also represents municipalities in land-use compliance enforcement proceedings and served for one year as Acting Counsel to the City of South Portland, pending its effort to retain long-term counsel.

Far from routine, Paul's practice involves a number of significant commercial land-use cases on the cutting edge of the law. A sampling of these issues include the innovative use of title insurance to insure over known title encumbrances to prevent their pretextual use to interfere with real estate transactions, and a hard-fought decision upholding credit unions' ability to expand their field of membership over objections raised by a commercial bankers' trade association, which had statewide impact for credit unions. Both of these cases were decided in the Maine Supreme Court in favor of Paul's clients and each involved fact-finding in lower tribunals. Paul has also recently won pivotal decisions in the Maine Superior Court that address and limit the scope of judicial review of arbitration awards beyond the grounds allowed in the Uniform Maine Arbitration Act, and a highly technical deed recording and priority decision that will likely be the leading real estate title and conveyancing case in the State of Maine for decades.

Education

- University of Maine School of Law, J.D., 1981

Practice Areas

Alternative Dispute Resolution
Corporate and Commercial Law Group

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- University of New Hampshire, B.A., 1978

Credit Union Law
Hospitality Law Group
Intellectual Property and Internet Law
Landlord/Tenant Matters
Nonprofit and Exempt Organizations Law Group
Real Estate Law Group
Real Estate Litigation
Tax-Deferred Exchanges

Affiliations

Admitted to Practice

- State of Maine
- Commonwealth of Massachusetts
- U.S. District Court, District of Maine
- U.S. Court of Appeals, First Circuit

Member, Past and Present

- Phi Beta Kappa, Member
- Maine State Bar Association, Member
- Cumberland County Bar Association, Member
- Maine Bar Foundation, Fellow

Selected Reported Cases

- *Taggart v. Taggart*, 2002 ME 164, 809 A.2d 1229.
- *Dorey v. Estate of Spicer*, 1998 ME 202, 715 A.2d 182.
- *Maine Bankers Association v. Bureau of Banking*, 684 A.2d 1304 (Me. 1996).
- *HL 1, LLC et al. v. Riverwalk, LLC et al.*, 2011 ME 29, ___ A.3d ___ .
- *Gravison v. Fisher*, 2016 ME 35, 134 A.3d 857
- *Estate of Merrill P. Robbins v. Chebeague & Cumberland Land Trust*, 2017 ME 17, 154 A.3d 1185

Awards, Merits & Honors

- Identified among the New England Super Lawyers (2007-2008)
- Recognized by *Best Lawyers in America* – Litigation and Real Estate Law (2006-2024)

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- *Best Lawyers* “Lawyer of the Year” – Real Estate Litigation (2024)

Designations



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