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California Jury Finds In Favor of Real Estate Agent Unanimous Verdict Rejects Home Buyer's Claim of Negligence

(Denver, CO - April 14, 2008) - On Thursday afternoon, a North San Diego County jury took less than two hours to unanimously clear real estate agent Mike Little. Clients, who bought a house from Little in the summer of 2005 believed they paid too much for their new home and sued him for breaching his "fiduciary duties," and "negligent misrepresentation."

The lawsuit attracted national attention, and had been postponed due to significant media coverage. Some news accounts reported that courts may possibly hold real estate agents responsible for lower home values. "This case was never about falling prices or the current real estate market," said Vinnie Tracey, President of RE/MAX International. "It was simply about the unfounded claims of an individual home buyer, claims that could not be substantiated in any way."

Marty Ummel, with her husband, bought a \$1.2 million dollar house, which she later claimed was worth \$150,000 less. Ummel made her assumption based upon what she felt were comparable sales in the neighborhood, sales that she charged Little never told her about.

However, in his closing arguments, Little's attorney, David Bright, argued that Ummel didn't understand that there were valid reasons why those houses sold for less. Jury forewoman, Wendy Brick, agreed saying that Ummel hadn't made an apples-to-apples comparison. Brick told the North County Times, "There were problems that justified those lower prices," and that Little had met all his fiduciary responsibilities and was not negligent.

RE/MAX Sales Associate, Mike Little, stated that he had actually shown the Ummels over 60 properties, and dealt with them in the same professional manner he deals with all his clients. "My life has been turned upside down during the last two years, but the sun is shining much brighter today," he said. "It's been a very difficult time, but now I feel totally vindicated."

The Broker/Owner of RE/MAX Associates, Geoff Mountain, who was also named in the lawsuit said, "We had opportunities to settle this case, but just refused to do it. It may have cost a lot of money to defend, but we were absolutely certain no one did anything wrong."

Marty Ummel, who had picketed several RE/MAX offices and home listings, left the courtroom without making a comment. Her attorney, Eric Prosser, told reporters that he could not say if they would appeal, but said they respected the jury's verdict.