

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

Robert Grundstein, J.D. v. Maine Board of Bar Examiners, et al.

Grundstein · No. 1:25-cv-00402-JAW · Decided March 3, 2026

SUMMARY

The United States District Court for the District of Maine grants the defendants’ motion to dismiss Robert Grundstein’s action concerning the embargo of his July 2021 Maine bar examination score. The court concludes that the Maine Board of Bar Examiners and its members in their official capacities are protected by sovereign immunity, and that the complaint fails to state viable personal-capacity claims. The court also addresses, in the interest of completeness, the Rooker-Feldman doctrine and claim preclusion, as well as the plaintiff’s request for mandamus relief.

CASE DETAILS

COURT	United States District Court for the District of Maine
WRITING FOR THE COURT	John A. Woodcock, Jr.
JURISDICTION	United States District Court for the District of Maine
DECIDED	March 3, 2026
DOCKET	1:25-cv-00402-JAW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a pro se action seeking declaratory and injunctive relief concerning the Maine Board of Bar Examiners' embargo of his July 2021 Maine bar examination score. After transfer from the District of Vermont, defendants moved to dismiss for lack of jurisdiction and failure to state a claim, and plaintiff moved for an order or writ of mandamus.
STANDARD OF REVIEW	On a motion to dismiss, the court accepts well-pleaded factual allegations as true and draws reasonable inferences in the plaintiff's favor, but disregards conclusory legal allegations and factual assertions too meager, vague, or conclusory to make relief plausible. The court also considered judicially noticeable docket materials and documents central to the complaint whose authenticity was not challenged.
PRECEDENTIAL VALUE	Unknown; district court order and no precedential-status designation appears in the opinion.

PARTIES

Robert Grundstein, J.D. v. Maine Board of Bar Examiners, Individual Defendants

TOPICS

motions to dismiss

eleventh amendment immunity

res judicata

subject matter jurisdiction

civil procedure

PRACTICE AREAS

civil procedure

constitutional law

administrative law

bar admission and professional licensing

federal courts

QUESTIONS PRESENTED

1. Whether the Maine Board of Bar Examiners and its members in their official capacities were protected by Eleventh Amendment sovereign immunity.
2. Whether the complaint alleged viable claims against the Board members in their personal capacities.
3. Whether the Rooker-Feldman doctrine barred plaintiff's challenge to the state-court disposition of his fee claim.
4. Whether Maine claim-preclusion principles barred plaintiff's constitutional claims arising from the Board's embargo decision.
5. Whether plaintiff was entitled to an order or writ of mandamus compelling release of his bar examination score.
6. Whether the court could consider transferred docket materials and exhibits attached to defendants' motion to dismiss.

HOLDINGS

1. On a motion to dismiss, the court may consider judicially noticeable docket materials and documents central to the complaint when their authenticity is not challenged, but it may not consider new factual assertions raised for the first time in an opposition brief.
2. The Maine Board of Bar Examiners is an arm of the State of Maine, and plaintiff's claims against the Board and its members in their official capacities are barred by Eleventh Amendment sovereign immunity.
3. The complaint failed to state viable personal-capacity claims against the individual defendants.
4. The Rooker-Feldman doctrine barred plaintiff's federal challenge to the Maine Supreme Judicial Court's rejection of his \$150 fee-refund claim.
5. Maine claim preclusion barred plaintiff's constitutional claims arising from the Board's embargo decision because those claims were or could have been litigated in the prior Maine state-court proceeding.

6. Plaintiff was not entitled to a writ of mandamus compelling the Board to release his bar examination score.

KEY QUOTATIONS

“Ordinarily . . . any consideration of documents not attached to the complaint, or not expressly incorporated therein, is forbidden, unless the proceeding is properly converted into one for summary judgment under Rule 56.” (Discussion § III.A)

“The Court concludes that Mr. Grundstein’s claims against the Board and its members in their official capacities are barred by the Eleventh Amendment.” (Discussion § III.C)

“Under the Full Faith and Credit Clause, U.S. Const. art. VI, as codified in 28 U.S.C. § 1738, a federal court must apply Maine claim preclusion rules to Maine state court judgments.” (Discussion § III.E)

FACTUAL BACKGROUND

Plaintiff alleged that he took a remote July 2021 Maine bar examination in Vermont and that the Maine Board of Bar Examiners embargoed his score after determining that he used scratch paper during the multistate essay examination portion. The Board notified him that his Uniform Bar Examination score had been permanently embargoed and declined to release it. Plaintiff challenged the decision in the Maine Supreme Judicial Court, which denied relief concerning the embargo and a fee refund, and later dismissed his petition for a writ of mandamus. He then filed this federal action asserting constitutional, contractual, state-law, and conversion claims and seeking declaratory and injunctive relief.

PROCEDURAL HISTORY

Plaintiff originally filed suit in the District of Vermont on June 21, 2024. The Vermont court dismissed the action without prejudice to refile in a proper venue and later transferred the case to the District of Maine. The Maine court granted defendants' motion to dismiss and denied plaintiff's motion for an order or writ of mandamus.

DISPOSITION

dismissed

CASES CITED

- Grundstein v. Washington State Bar Ass'n, No. C12-569RSL, 2012 U.S. Dist. LEXIS 127717, at *16-17 (W.D. Wash. Sept. 7, 2012)
- Grundstein v. Washington State Bar Ass'n, No. C12-569RSL, 2012 U.S. Dist. LEXIS 114581, at *2 (W.D. Wash. Aug. 13, 2012)
- Wolff v. McDonnell, 418 U.S. 539 (1974)
- Goss v. Lopez, 419 U.S. 565 (1975)
- Tumey v. Ohio, 273 U.S. 510 (1927)
- Appleby v. Delaney, 271 U.S. 403 (1926)

- *Watterson v. Page*, 987 F.2d 1, 3 (1st Cir. 1993)
- *Diva's Inc. v. City of Bangor*, 411 F.3d 30, 38 (1st Cir. 2005)
- *Alternative Energy, Inc. v. St. Paul Fire & Marine Ins. Co.*, 267 F.3d 30, 34 (1st Cir. 2001)
- *Rodriguez-Ramos v. Hernandez-Gregorat*, 685 F.3d 34, 37 (1st Cir. 2012)
- *Rodi v. Southern New England School of Law*, 389 F.3d 5, 18-19 (1st Cir. 2004)
- *Doustout v. G.D. Searle & Co.*, 684 F. Supp. 16, 17 n.1 (D. Me. 1988)
- *Olszewski v. Hutchins*, No. 1:24-cv-00209-JAW, 2026 U.S. Dist. LEXIS 19395, at *26 (D. Me. Jan. 28, 2026)
- *Gulf Oil Ltd. Partnership v. Petroleum Marketing Group*, 308 F. Supp. 3d 453, 462 n.8 (D. Mass. 2018)
- *Folan v. Santander Consumer USA Inc.*, No. 1:25-cv-11341-JEK, 2025 U.S. Dist. LEXIS 116325, at *9 n.8 (D. Mass. June 18, 2025)
- *Ortiz v. Jimenez-Sanchez*, 98 F. Supp. 3d 357, 365 n.5 (D.P.R. 2015)
- *Poirier v. Massachusetts Department of Correction*, 558 F.3d 92, 97 (1st Cir. 2009)
- *Kentucky v. Graham*, 473 U.S. 159, 167 n.14 (1985)
- *Hans v. Louisiana*, 134 U.S. 1, 13 (1890)
- *Seminole Tribe of Florida v. Florida*, 517 U.S. 44, 54 (1996)
- *Irizarry-Mora v. University of Puerto Rico*, 647 F.3d 9, 14-16 (1st Cir. 2011)
- *Middlesex County Ethics Committee v. Garden State Bar Ass'n*, 457 U.S. 423, 433 (1982)
- *Grundstein v. Vermont Board of Bar Examiners*, 748 F. App'x 425, 427 (2d Cir. 2019)
- *Mullane v. Massachusetts Board of Bar Examiners*, No. 20-cv-11382-DJC, 2021 U.S. Dist. LEXIS 171888, at *5 (D. Mass. Sept. 10, 2021)
- *Grundstein v. Washington State Bar Ass'n*, No. C12-569RSL, 2012 U.S. Dist. LEXIS 114581, at *6-8 (W.D. Wash. Aug. 13, 2012)
- *Ex parte Young*, 209 U.S. 123 (1908)
- *Virginia Office for Protection & Advocacy v. Stewart*, 563 U.S. 247, 254-55 (2011)
- *Pennhurst State School & Hospital v. Halderman*, 465 U.S. 89, 101-02, 105 (1984)
- *Muirhead v. Mecham*, 427 F.3d 14, 18 (1st Cir. 2005)
- *Larson v. Domestic & Foreign Commerce Corp.*, 337 U.S. 682, 695 (1949)
- *Dugan v. Rank*, 372 U.S. 609, 620 (1963)
- *Clemente Properties, Inc. v. Pierluisi-Urrutia*, 165 F.4th 1, 12, 35-36 (1st Cir. 2026)
- *Perez v. Springfield Police Department*, No. 25-30063-MGM, 2025 U.S. Dist. LEXIS 230471, at *7-8 (D. Mass. Nov. 24, 2025)
- *Justiniano v. Walker*, 986 F.3d 11, 20 (1st Cir. 2021)
- *Cangrejeros de Santurce Baseball Club, LLC v. Liga de Béisbol Profesional de P.R., Inc.*, 146 F.4th 1, 11 (1st Cir. 2025)
- *Lewis v. Clarke*, 581 U.S. 155, 161-63 (2017)
- *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923)
- *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983)

- *Lance v. Dennis*, 546 U.S. 459, 460 (2006)
- *Davison v. Government of Puerto Rico-Puerto Rico Firefighters Corps.*, 471 F.3d 220, 223 (1st Cir. 2006)
- *Federacion de Maestros de P.R. v. Junta de Relaciones del Trabajo de P.R.*, 410 F.3d 17, 23-24 (1st Cir. 2005)
- *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 291, 293 (2005)
- *Grundstein v. Lamoille Superior Court Docket Entries/Orders*, 821 F. App'x 46, 47 (2d Cir. 2020)
- *Rivera-Rosario v. LSREF2 Island Holdings, Ltd., Inc.*, 79 F.4th 1, 2 (1st Cir. 2023)
- *Haag v. United States*, 589 F.3d 43, 45 (1st Cir. 2009)
- *Dixon-Tribou v. McDonough*, 86 F.4th 453, 459 n.4 (1st Cir. 2023)
- *20 Thames St. LLC v. Ocean State Job Lot of Me. 2017 LLC*, 2021 ME 33, ¶¶ 15, 17, 252 A.3d 516
- *Wilmington Trust Co. v. Sullivan-Thorne*, 2013 ME 94, ¶ 7, 81 A.3d 371
- *Sebra v. Wentworth*, 2010 ME 21, ¶ 12, 990 A.2d 538
- *Casa Marie, Inc. v. Superior Court*, 988 F.2d 252, 262 (1st Cir. 1993)

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