

## ROBERT E. KIRBY AWARD RECOGNIZES OUTSTANDING ATTORNEYS

A panel of judges from the New Hampshire courts carefully considered all the nominations made over the past ten years for the Robert E. Kirby award. The bar was set high by those who established the Kirby Award...“this lawyer, like Bob, would combine traits of civility, courtesy, perspective and excellent advocacy that are inevitable characteristics of the best of our best lawyers. The purpose of the award will be to honor Bob’s memory and to remind all of us that decency, courtesy, and perspective neither inhibit nor defeat excellent advocacy.” The first ten Robert E. Kirby Award recipients are as follows:



### **1996 - First Kirby Award John P. Kacavas**

“Having been a high school classmate and friend of Bob’s, receiving the first annual Kirby Award holds a special significance for me. I will never forget Chief Justice Broderick’s words as he introduced this new award and the ideals of civility, integrity, and excellence in advocacy for which it stands. The award is a fitting tribute to the ideals Bob embodied, and to which I try daily to aspire.” – **John Kacavas**

When John received the first annual Kirby Award in 1996, he was a homicide prosecutor and Assistant Attorney General at the NH Attorney General’s Office. He went on to become chief of the Homicide Unit and Senior Assistant Attorney General. In 1999, he moved to the US Department of Justice’s Campaign Finance Task Force, which was responsible for investigating and prosecuting federal campaign finance violations. He was involved in prosecutions throughout the country before returning to New Hampshire to enter private practice. He is presently a member of Kacavas Ramsdell & Howard, P.L.L.C. in Manchester, where his practice concentrates in criminal defense and personal injury litigation.



### **1997 - Second Kirby Award Mark E. Howard**

“I have had the good fortune to enjoy many remarkable experiences in my legal career. Not one, however, has been more gratifying, humbling and enduring than receiving the Kirby Award. The glass bowl serves as a daily reminder that this profession is about so much more than advocacy: it is about respect at all levels for people and the rules by which we live our lives.” – **Mark Howard**

In 1997, Attorney Mark Howard became the second recipient of the Kirby Award, having been presented the award by its first recipient John Kacavas. In 2006, the two became partners in the Manchester firm of Kacavas Ramsdell & Howard, PLLC.

A native of New Hampshire, Mark graduated from the UNH in 1984, and received his law degree from the Franklin Pierce Law Center in 1987. He was admitted to the NH Bar in October of 1987, while he was serving as a law clerk to NH Supreme Court Justice William Batchelder, who Mark describes as “the most influential mentor in my life.” Upon completion of his clerkship in 1988, Mark joined the criminal division of the NH Attorney General’s Office. There he prosecuted numerous homicides and other felony cases, and represented the State in criminal cases before the NH Supreme Court.

In 1991, Mark joined the law firm of Merrill & Broderick with whom he litigated asbestos property damage cases, professional liability matters, and insurance defense claims.

After several years in civil practice, in 1998, Mark returned to his roots as a prosecutor and joined the criminal division of the US Attorney's Office in Concord. Over the ensuing eight years, he prosecuted hundreds of federal felony drug, firearms and violent crime offenses. Mark also served as the criminal appeals supervisor, handling over 35 cases in the First Circuit Court of Appeals in Boston.

Throughout his career, Mark has served both the Bar and the legal education community. He was a member of the Ethics Committee from 1993 to 2000, and its chair from 1993 to 1997. In addition, Mark was an adjunct professor of law at Franklin Pierce from 1994 to 2002, where he taught criminal law and courses in professional ethics and federal court jurisdiction. He lectures frequently on law and mental health topics, particularly competency and insanity, and in 2002 was invited to lecture at the University of Wales at Aberystwyth in the United Kingdom. In 1999, he traveled to the former Soviet Republic of Armenia where he helped train prosecutors and criminal defense attorneys in western criminal justice ideals.

Mark lives in Durham with his two children.



**1998 – Third Kirby Award  
Diane Murphy Quinlan**

“In 1998, she was the recipient of the New Hampshire Bar Foundation’s Kirby Award. “I was surprised and overwhelmed when I heard my name called as the recipient of the Kirby award. I was particularly honored and humbled because of the man for whom the award is named. The award for me has served as a reminder of how Bob Kirby lived his life: his family and friends always came first; he practiced law with tremendous zeal, skill, and a sense of humor; and he was a man of great faith. He exemplified the person I strive to be.” – *Diane Quinlan*

Diane Murphy Quinlan, a native of Plymouth, NH, is a graduate of The College of the Holy Cross, where she ran track and cross-country for four years, and of Suffolk University School of Law, *cum laude*. She clerked for Hon. Martin F. Loughlin in the US District Court for the District of New Hampshire. She practiced law at Conley, Haley & O’Neill in Bath, Maine and Rath, Young and Pignatelli in Concord, NH before joining Devine, Millimet & Branch, PA in 1995, where she practiced labor and employment law.

In 2002, Diane left private practice to work for the Catholic Church in New Hampshire. In December 2004, Bishop John B. McCormack appointed her Chancellor, a member of the senior staff of the diocesan bishop. Diane is the first lay person to serve in that position in history of the Diocese of Manchester and is one of a handful of laity entrusted with such responsibility in the United States.

Diane has served on a number of professional committees, including the Federal Court Advisory Committee and NH Bar Association Ethics Committee. In addition, she has been a member of the Board for St. Joseph Community Services Council (Meals on Wheels), has taught religious education at her parish, and has served as a softball coach for four years. She has also served as a board member for the Merrimack Cardinals Football and Spirit Program and the Merrimack Youth Association Softball League. She is a member of the Gate City Striders running club.

Diane and her husband Gary have been married for 15 years and have two children. They reside in Merrimack.



**1999 - Fourth Kirby Award**  
**James J. Tenn, Jr.**

“It was a distinct honor to receive the Robert E. Kirby Award. Over the past years, I have considered the importance of the distinction and tried to do it justice in my dealings with opposing counsel, my clients, and the courts. The award is a reminder of the legacy of Robert Kirby and standard of excellence he set.” - **James J. Tenn, Jr.**

James J. Tenn, Jr. is a trial lawyer with Tenn And Tenn, P.A. in Manchester. His practice includes personal injury, domestic relations, criminal defense, and general litigation matters. Jim completed his undergraduate degree at Boston College, *summa cum laude*, and received his J.D. from the Catholic University of America, Columbus School of Law. He is admitted to practice law in all state and federal courts in New Hampshire and Massachusetts, as well as the US Supreme Court.

Jim is an active member of the Bar Association and the Bar Foundation. He presently serves as Governor-at-Large for the Bar Association, and also serves on the *Pro Bono* Advisory Board. Previously, Jim served as the Hillsborough County Delegate to the Bar Association, and is a past Chair of the New Lawyers Committee. Jim has been a member of the Legal Services Campaign. Presently, Jim serves as Chair of the Development Committee for the Bar Foundation Board.

In addition to his work with the Bar Association and the Bar Foundation, Jim has given his time to many other professional associations. He is the current membership Chair for the Catholic Lawyers Guild of NH, past president of the Manchester Bar Association, and currently serves on the Manchester Bar Association Executive Committee. Jim is a member of the NH Trial Lawyers Association, and has served as Governor-at-Large for the Trial Lawyers Association. He is a long-time former member of the Daniel Webster American Inn of Court.

Jim is active in local community and charitable organizations. He is a graduate of the Manchester Chamber of Commerce Leadership Program and has served as an advisor to Manchester Community Television. He also has served as Chair of the Keyspan Youth Leadership Program. In 1999, Jim received the Robert E. Kirby Award; and, in 2001 Jim was recognized for distinguished *pro bono* service for Hillsborough County – Northern District.

**2000 – No award given**



**2001 – Fifth Kirby Award**  
**Joseph N. Laplante**

"In 2001, I was working in Boston and Washington, hadn't practiced in New Hampshire since 1998, and really needed a reminder of what New Hampshire law practice was all about. As one of the earlier Kirby Award recipients, I'm one of the few fortunate enough to have known Bobby, and his approach -- combining truly remarkable collegiality with an uncompromising commitment to excellent advocacy -- is one I've always tried to emulate. The award, with its unique way of personalizing these attributes in a memorial to Bobby, just brought it home for me, and really brought me home to New Hampshire just months later. Trying to live up to Bobby's high standard is a career-long obligation, but a happy one." – **Joe Laplante**

Joe Laplante (Georgetown '87, Georgetown Law '90), a Nashua native, is a federal criminal prosecutor. As the First Assistant US Attorney for the District of NH, he reports directly to the United States Attorney and oversees the office's Criminal, Civil, and Administrative Divisions. Joe also serves as the lead NH prosecutor for the New England Organized Crime Drug Enforcement Task Force. Previously, he worked as a prosecutor at the US Attorney's Office in Boston in its Major Crime Unit, for the US Dept. of Justice in Washington on the Campaign Financing Task Force, in the Homicide and White Collar Crime Units of the NH Attorney

General's Office, and spent the first three years of his career at Wiggin & Nourie, PA. Joe has tried cases before juries in Boston, Los Angeles, Concord, nearly all of New Hampshire's 10 counties, and argued appeals before the First Circuit, the DC Circuit, and the NH Supreme Court. He was listed in the Union Leader's inaugural "Forty Under 40" feature in 2002.

Joe has chaired two Bar Association committees -- the Committee on Professionalism and the New Lawyers Committee -- and served as the Program Chair of the Webster-Batchelder Inns of Court. He has served as an instructor or moderator in several NHBA CLE programs and published several law review articles, including three in the NH Bar Journal on privacy and constitutional law.

In civic matters, Joe serves as the chairman of the board of directors for the NH Charitable Foundation's Greater Nashua Region, and is the chairman of the board of directors for Nashua Police Athletic League, Inc. He sits on the St. Christopher's School Advisory Board, the St. Paul's School Advanced Studies Program Advisory Board, the City of Nashua Ice Rink Commission, several ad hoc committees for the City of Nashua, and volunteers at the Corpus Christi Food Pantry. Joe is the coach of the Nashua Boys and Girls Club youth wrestling team, coaches several other youth sports teams, and is a licensed amateur and professional boxing referee.



**2002 - Sixth Kirby Award  
John T. Pendleton**

"It remains an honor to have been recognized by those that knew Robert Kirby, for having traits which helped defined him. Bob set a standard within the legal community requiring the highest level of advocacy skills for clients, while possessing an honest civility and kindness. Bob was a great person to know. It makes me proud to be a member of the select group of Kirby award winners, especially in light of the contributions Bob Kirby, and the other past recipients have made to the practice of law in New Hampshire." - - - **John T. Pendleton**

Attorney John T. Pendleton received the Robert Kirby Award in 2002. Attorney Pendleton is currently a shareholder and member of the Law Firm of Dwyer, Donovan & Pendleton, P.A. in Portsmouth, where he practices in the areas of Water Law, Business, Land Use, Criminal and Tort Law. He received a BA degree from Trinity College and his JD degree from the University of Richmond. He began practice in 1993 as an Assistant Strafford County Attorney, where he tried approximately two dozen jury cases.

Attorney Pendleton began private practice in 1996, and has worked with former Bar President James Gleason, and the firm of Gottesman & Hollis, before joining his sister Elizabeth Donovan in Portsmouth at Dwyer Donovan & Pendleton in 2004. John's practice today involves the representation of businesses, large and small, including publicly traded companies, such as Pennichuck Corporation, land use clients, individuals in tort and criminal matters, and municipal water and sewer districts. He has been focusing on growing his environmental tort and his personal injury practice, and on serving his water and environmental clients in the developing water rights area.

Attorney Pendleton throughout his career has been incredibly active in philanthropic activities twice serving as a County Governor to the NH Bar Association, formerly as a member of the NH Bar Association Ethics Committee, as a former member of Bridges, Rape & Assault Support Services of Nashua, NH and a member of the Governor's Domestic Violence Fatality Review Board. John currently serves and is active on the Federal Criminal Justice Act panel, defending indigent criminal defendants in federal criminal proceedings. John also currently serves as the vice chairman of the NH Plumbers Licensing Board, as a board member of NH Legal Assistance, a member of the sub-committee for the Campaign for Legal Services, and as a board member of Seacoast Mental Health.



**2003 – Seventh Kirby Award  
Jennifer L. Parent**

“I am honored to have received the Robert Kirby Award in 2003. Robert Kirby set the bar high with his skills as a lawyer and his professionalism. To me this award stands for younger lawyers' commitment to the law and achieving the highest professional standards. I am honored to be included in this distinguished group of

Kirby Award recipients.” - *Jennifer L. Parent*

Attorney Jennifer L. Parent received the Robert Kirby Award in 2003. Jennifer is a director at McLane, Graf, Raulerson and Middleton, Professional Association, in its Litigation Department. She received a B.A. degree, cum laude, from Boston College in 1992 and her JD degree, summa cum laude, from Suffolk University Law School in 1995. At graduation, Jennifer received the Daniel J. Fern Award from Suffolk University Law School for obtaining the highest cumulative average in her class. Jennifer's practice involves representing large and small businesses in litigation in business and employment disputes. She has tried cases in state and federal court to both juries and judges. She has represented employers in the areas of employment discrimination, retaliation, harassment, wrongful termination, trade secret, non-competition, and non-solicitation. She has also represented companies in a wide range of business litigation involving contracts, tortious interference with contract, unfair competition, real estate, land use, leases, misrepresentation, construction, and other business disputes.

Jennifer is currently on the Board of Governors of the NH Bar Association as the Hillsborough (North) representative and a member of the NH Supreme Court Rules Advisory Committee. She is a Liaison to the ABA Commission on Women in the Profession for the ABA Young Lawyers Division. Jennifer is a past president of the NH Women's Bar Association. She is president of the NH Alumni of Suffolk University Law School, a member of the Dean's Advisory Committee for the law school, and a founding member of the Loan Repayment Assistance Program for Suffolk alumni working in public interest law in NH. In June 2006, Jennifer joined the Board of Opera New Hampshire.



**2004 – Eighth Kirby Award  
Kelly A. Ayotte**

"I was tremendously honored and humbled to receive this award knowing how Robert E. Kirby practiced law and lived his life. When I speak to new attorneys within and outside of my office, I direct them to his ideals: to practice law with integrity, to treat clients and each other with respect and to always place professionalism above financial gain." - *Kelly A. Ayotte*

Kelly Ayotte is the first woman to serve as Attorney General of the State of NH. Ms. Ayotte graduated from the Pennsylvania State University (with honors) in 1990 with a B.A. in Political Science, and graduated from the Villanova University School of Law in 1993, where she served as Executive Editor of the Environmental Law Journal. Ms. Ayotte is a member of the NH and ME bars. After law school, Ms. Ayotte spent one year as a law clerk to the Honorable Sherman D. Horton, Associate Justice of the NH Supreme Court. Following her clerkship, Ms Ayotte worked from 1994 to 1998 as a litigation associate in the law firm of McLane, Graf, Raulerson & Middleton, where she litigated complex civil, commercial and criminal defense cases.

Ms. Ayotte joined the Office of the Attorney General in 1998 as a prosecutor in the Criminal Bureau, where she handled white collar, public integrity and homicide cases. Ms. Ayotte was appointed a Senior Assistant Attorney General and Chief of the Homicide Unit in 2000. In February of 2003, Ms. Ayotte left the Attorney General's Office to serve as legal counsel for

Governor Craig Benson at the beginning of his term. In July of 2003, she was appointed Deputy Attorney General where she served until July of 2004 when she was appointed Attorney General.

Ms. Ayotte was recognized by NH Magazine in 2004 as one of the State's remarkable women and she was selected as one of the 40 leaders in NH under the age of 40, by the Union Leader in 2002. In 2006, NH Business Magazine named her as one of New Hampshire's 10 Most Powerful People. Ms. Ayotte is a native of New Hampshire and resides in Nashua with her husband, Joseph Daley, and daughter, Katherine.



**2005 – Ninth Kirby Award  
Mary Elizabeth Tenn**

“The Robert E. Kirby Award is an award of special distinction. It is a tribute to the memory of Robert Kirby; but also, calls us to action in our daily work. The award has been a reminder in my practice, and a standard for all members of the Bar, to strive to achieve the level of courtesy, civility, and professional excellence demonstrated by Robert Kirby.” - *Mary E. Tenn*

Mary is a partner with Tenn And Tenn, PA in Manchester. Her practice includes personal injury matters, complex commercial litigation, domestic relations, and criminal defense matters.

Mary completed her undergraduate degree at Boston College, and received her J.D., *cum laude*, from Harvard Law School. She is admitted to practice law in all state and federal courts in NH and MA, as well as the US Supreme Court.

In addition to the NH Bar Association, Mary is an active member of many other professional associations including the NH Trial Lawyers Association, NH Women's Bar Association, the Manchester Bar Association, the Boston Bar Association, and the American Trial Lawyers Association. Mary serves on the NH Trial Lawyer Association's Board of Governors as a Governor-at-Large, and she also is a member of the Manchester Bar Association's Executive Committee.

Mary is a frequent guest faculty member for the trial advocacy workshop at Harvard Law School, and a judge for the Harvard Law School First-Year Moot Court Competition.

Prior to joining Tenn And Tenn, P.A., Mary worked as a litigation attorney at Boston's Hale and Dorr LLP, where she was elected to partnership in 1999. During that time, Mary also served as special assistant district attorney for Middlesex County and prosecuted cases on behalf of the Commonwealth of Massachusetts.

Born and raised in Manchester, Mary is active in local community and charitable organizations. Mary is a 2003 graduate of Leadership NH and serves on the Leadership NH Board of Trustees. She also is a past board member for the Girl Scouts of Swift Water Council. Mary lives in Manchester with her husband and two young sons.



**2005 - Tenth Kirby Award  
Mary Ann Dempsey**

“For me, the Kirby Award represents recognition by members of my profession and the judicial bench, whom I work with on a daily basis and respect, that I am viewed as practicing law in a manner that is respectful, ethical, and fair. The value of this recognition to me cannot be fully expressed. As a litigation attorney, I strive to give the most persuasive oral argument or render the cross-examination that wins the trial for my client but, the Kirby Award is a constant reminder to me that how an attorney plays the game matters as much as the result. Bob Kirby's memory is honored because he possessed personal qualities that we all want to exhibit in both our practice of law and personal lives. I have learned, through so many stories his colleagues shared with me this past year, that Bob was a humble winner and a gracious loser in the courtroom. He was a zealous

advocate for his clients while always being an ethical officer of the court. He was not only courteous but humorous, vital skills that we all need in this profession. I do not think I truly understood the full meaning of being named a recipient of the Kirby Award until I learned about Bob Kirby from the people who practiced with him and still miss him. To even be thought of in connection with an award that pays tribute to Bob Kirby and his memory, is the greatest honor of being named a recipient.” - *Mary Ann Dempsey*

Attorney Mary Ann Dempsey of Wiggin & Nourie, P.A., earned her J.D. from Boston College in 1997 and served as a law clerk and senior law clerk to the New Hampshire Superior Court prior to joining Wiggin & Nourie, P.A. Mary Ann represents clients in commercial, insurance, and appellate litigation in New Hampshire and Massachusetts courts, including the NH Supreme Court. Mary Ann has developed a significant practice of representing the insurance industry and insured individuals for coverage issues ranging from issues relating to auto and homeowners policies to commercial general and professional liability policies. She is a regular lecturer on a number of insurance coverage issues including uninsured/underinsured motorist coverage law and mold litigation.

Attorney Dempsey is the New Hampshire Representative for the Defense Research Institute, a national organization of 22,000 defense trial lawyers and corporate counsel. She also serves as an executive committee member of the Manchester Bar Association, and is an active member of the NH Women’s Bar Association, the NH Bar Association, and the American Bar Association.

Attorney Dempsey is a volunteer coach for St. Joseph Regional Junior High School Cross Country/Track and Field team and serves on the Advisory Board for Child and Family Services. Dempsey also volunteers at New Horizons Soup Kitchen in Manchester.

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