

SHEEHAN PHINNEY

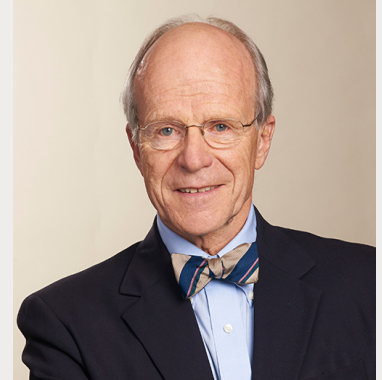
James Q. Shirley

Shareholder | Manchester, NH

Jim is a senior member of the litigation department and serves as the firm's general counsel. He has successfully handled litigated cases in state and federal court in New Hampshire and in neighboring jurisdictions for over 35 years. Over time, he has focused on matters involving commercial disputes, professional negligence, product liability, toxic torts, real estate and insurance coverage.

In addition, Jim has been active throughout his career in promoting lawyer continuing legal education having served as the chair of the New Hampshire Bar Association Continuing Legal Education Committee for six years and as a member of the Supreme Court Minimum Continuing Legal Education Board since 1991. In connection with his CLE interest and his role as the firm's general counsel, he frequently advises on matters involving the New Hampshire Rules of Professional Conduct.

Jim has practiced at Sheehan Phinney Bass & Green in Manchester New Hampshire since 1971. He is a member of the American College of Trial Lawyers, American Board of Trial Advocates, International Society of Barristers and Society of the Cincinnati. He has been named a *Best Lawyer in America* since 2005 in the Business Litigation Section; named Best Lawyers' 2010 Manchester Bet-the-Company Litigator of the Year. He has also been recognized as one of "America's Leading Business Lawyers" by *Chambers USA* and has been selected as a *New England Super Lawyer* since 2007.



Contact Information

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Key Cases

- At the NH Supreme Court successfully overturned a decision denying the benefit of the innocent insured exception to the crime fraud exclusion in a professional negligence liability policy.
- At the NH Supreme Court prevailed in securing Guaranty Fund coverage for NH hospital.
- Prevailed on behalf of NH hospital in securing coverage for significant claim denied by carrier based on the known loss doctrine.
- Defended isocyanate exposure claim for two and a half weeks in the Federal District Court in Maine. Defendant's verdict upheld at the First Circuit Court of Appeals.
- Prosecuted two-week quiet title action involving high value boundary line and easement issues. Verdict for the plaintiff upheld in the New Hampshire Supreme Court.
- Prosecuted six-day injunction proceeding to enforce non-competition and non-solicitation covenants on behalf of employee leasing company. Decision in favor of employer and award of attorney fees affirmed by New Hampshire Supreme Court.

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- On behalf of an association of thirty-five Lake Sunapee shorefront property owners, obtained a waiver of Department of Environmental Services “no bathing ban” at the department appeals level. Decision upheld upon rehearing.
- On behalf of restaurant owner, invalidated municipal no smoking ban at the New Hampshire Supreme Court.

Practice Areas

- Business Litigation
- Healthcare
- Insurance Defense

Admissions

- State of New Hampshire
- State of California
- First and Ninth Circuit Courts of Appeal
- New Hampshire Bar Association
- California Bar Association
- American Bar Association

Education

- J.D., University of San Francisco School of Law
- M.A., San Francisco State University
- B.A., Dartmouth College

Civic Involvement

- Chairman, NH Bar Association CLE Committee
- Supreme Court Minimum Continuing Legal Education Committee
- Director Emeritus, Josiah Bartlett Center for Public Policy
- Chairman of the Board of Trustees, Piscataquog Land Conservancy

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- Society of the Cincinnati in the State of New Hampshire
- American College of Trial Lawyers
- American Board of Trial Advocates
- International Society of Barristers
- Defense Research Institute
- Dartmouth Lawyers Association
- NH Bar Association Ethics Committee
- Committee on the Rules of Civil Procedure
- Chair Member, Continuing Legal Education Committee
- Supreme Court Minimum Continuing Legal Education Board

Awards

- Distinguished Service Award from the Manchester NH Bar Association
- President's Award for Service to the NH Chapter of the American Board of Trial Advocates
- President's Award for Outstanding Leadership as Chair of the NH State Committee of the American College of Trial Lawyers
- Chambers USA, Litigation: General Commercial
- Best Lawyers in America® 2010 Manchester Bet-the-Company Litigator of the Year
- Best Lawyer in America®, Commercial Litigation, Bet-the-Company Litigation
- New England Super Lawyer®, Business Litigation