

## *Memorial Edition*

On November 29, 2004 we lost our co-founder and senior partner, Bob Hanson, following a courageous battle with a rare and aggressive form of thyroid cancer. The attorneys and staff of Norman, Hanson & DeTroy were fortunate to have been members of Bob's professional family, and we are grateful for his leadership and vision, and for the high standards of excellence he set for all of us. We offer our deepest condolences and warmest wishes to Bob's wife, Kathy, and his sons Rob and Ryan.

A native of South Portland, Bob excelled in athletics and academics and graduated from South Portland High School in 1963. At Wesleyan University he played on the baseball team and sang in the college choir. He served as president of the Commons Club fraternity and worked on campus as the manager of the faculty restaurant.

In the fall of 1968, Bob enrolled in the University of Maine School of Law which was then located on High Street in Portland. He was an editor of the Maine Law Review and was a member of the moot court team. He also worked as a student writing instructor, and graduated in 1971.



**Robert F. Hanson**

*1944 - 2004*

Later that same year he joined the Portland law firm of Mahoney, Desmond, Robinson & Mahoney and quickly became one of the state's leading trial lawyers and workers' compensation defense attorneys. Dave Norman was also a member of that firm, and in November, 1975 Bob and Dave founded the firm that continues to bear their names. From a modest one-room office on Exchange Street the firm grew rapidly and moved to its present location at 415 Congress Street in the autumn of 1980. The expansion of the firm gave Bob the opportunity to focus his energy and talent on medical malpractice defense, and for many years he represented

Maine's finest physicians and healthcare institutions.

Bob's commitment to the firm was exceeded only by his devotion to his family and dedication to his community. He coached little league for eight years and was recognized in 1981 as Maine's most outstanding coach. In that same year he was elected to the South Portland Board of Education, and also served as chairman of the South Portland Civil Service Commission.

From its humble beginnings, Norman, Hanson & DeTroy has become one of Maine's preeminent law firms with special emphasis upon medical malpractice defense, civil litigation, workers' compensation defense, and commercial transactions. As our long-serving managing partner, Bob oversaw the growth and diversification of the firm and instilled the values that have guided our professional lives. Virtually all of us have spent the majority (if not the entirety) of our legal careers in association with Bob, and we will greatly miss the wit, the intellect, and the drive that so perfectly defined him as an individual and as an attorney.

Steve Moriarty

Bob and I became good friends at the University of Maine School of Law in 1969. As you might have expected, he was a very strong student and it was clear the faculty regarded him as one of the “best and brightest.” However, our initial friendship had little to do with academic interests, but rather centered on a shared passion for sports and competition. While Bob didn’t have the classic athletic physique, he was an excellent athlete. He was tall, surprisingly graceful, and had tremendous hand/eye coordination which served him well in later years as an excellent golfer. While we were at school, the Law School put together a very good softball team that played in the state championships for four or five years. Bob was one of our best players. Other luminaries were Judge Jabar, Federal Magistrate Bill Brownell, and retired Judge Ronald Russell. Bob could literally hit a ball within five feet of where he said he would.

In fact, I remember one hilarious episode at the annual Law School picnic where one of the professors Bob did not particularly care for was



PETER DETROY

positioned in right field. He also wore knee socks and had a pipe in his mouth – a thoroughly irresistible target. As he came to bat, Bob told us it was time to make this professor “pay” for some of the discomfort he had visited on him and other students in his classroom. He then proceeded to hit four or five balls to right field which just landed foul and out of reach of the sprinting professor. When Bob finally hit the ball fair to right field, the professor took two steps backwards and fell in an exhausted heap. All of us were rolling on the ground crying with laughter as Bob circled the bases.

His grace was also notable on social occasions. I recall that while his beautiful and gracious wife, Kathy, was the focus of attention whenever she took to the dance floor, Bob also dazzled us with his “Fred Astaire” moves. They were a thoroughly impressive couple wherever they went.

I joined the firm of Norman & Hanson in 1977. Bob and David had left their old firm in 1975. At the time they left, it was highly unusual for lawyers to leave a

practice, particularly one with the preeminence of the Mahoney firm. However, Bob, as was his wont, had planned his departure thoughtfully and a number of insurance clients came over and gave work to David and him. Bob worked on me for almost a year to convince me to join the new firm. As hard as it may be to believe now, my greatest concern was whether there was going to be enough work; within a week that issue had disappeared.

Bob and David moved to new office space at 95 Exchange Street in early 1977. Dana Cleaves, who later became a family law judge, was also with them. Their work then was exclusively insurance defense. I came from a plaintiff’s firm and a lot of the “old hands” (i.e., experienced adjusters) were more than a little suspect of my credentials. Bob and David had to strongly vouch for me and, albeit grudgingly, the clients gradually let me work on some of their files. All through those early years there was a palpable sense of excitement that we were creating something new and special. Those feelings have remained all these years and I suspect they were among Bob’s happiest years. □



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NORMAN, HANSON & DETROY, LLC

## newsletter

is published quarterly to inform you of recent developments in the law, particularly Maine law, and to address current topics of discussion in your daily business. These articles should not be construed as legal advice for a specific case. If you wish a copy of a court decision or statute mentioned in this issue, please e-mail, write or telephone us.

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I came to law school after a summer of working as a salvage diver for a marine construction firm in 1970. I first met Bob on the steps of the old University of Maine School of Law on High Street. We were roughly the same size and he looked me up and down, paying particular attention to my Fu Manchu mustache, shoulder length hair, and red handkerchief headband. We did not say much - a definite silent exchange of "body language."

I had occasion to get to know Bob quite quickly, however, as he was my legal writing instructor. In fact, just before the Christmas vacation, I said to my then roommate at a Pine Point hovel, "I am not so sure about this law school business . . . ." Bob was a demanding instructor and extremely knowledgeable in the eyes of a first year law student.

I received further "education," from Bob during the winter of 1970 and 1971 when his intramural basketball team trounced ours at the USM gym. Although Bob played with a knee brace, he proved as for-



ROD ROVZAR

midable underneath the basket as he was in the classroom.

Bob graduated the following spring. That didn't end my contact with him, however. Much to my dismay, he materialized in a black robe the following winter when I squared off against the prettiest second-year law student in moot court competition. I had my "you know what" handed to me in no uncertain terms, while Bob charmed my opponent, taking what I perceived to be a great

deal of judicial license in stifling my objections and glaring at her to prompt objections of her own when I crossed this or that evidentiary line. Later that night, I said to my new wife that perhaps we ought to think about spending our Christmas club and cash gifts over the holidays on more lobster traps because "I wasn't so sure about this law school business ...."

I didn't see Bob much after that for a couple of years. As a very new lawyer, I had occasion to handle a workers' compensation case for a client of my then colleague, Dana Childs. Once again, I got muscled around a different courtroom, but still at the hands of Bob Hanson. Shortly after that fiasco, Bob invited me to lunch and then asked me to join his fledgling firm. I was flabbergasted.

Today I am most grateful for his invitation and for the privilege of two plus decades of working with him. I have been honored to be a part of a most wonderful law firm that he molded and shaped over the years, to produce lawyers of great skill, integrity and decency □

Bob and I started with the old Mahoney law firm. I had been practicing for 10 years, and Bob for 4, when we left and started Norman & Hanson. We opened on November 29, 1975. Our first space was at 104 Exchange Street, which we occupied for a few months while our offices at 95 Exchange were being renovated. We had one new desk (for our first secretary), an IBM typewriter, a single telephone (again, for our secretary), two second hand desks and chairs for ourselves, and no files. Bob's desk was next to the john and mine beside the single window. I thought it was generous of Bob to insist that my desk



DAVE NORMAN

be placed next to the window until I raised the venetian blind and discovered the view - an air shaft. I always

suspected Bob had known this when he made the offer.

Bob and I had told no clients of our intention to leave the old firm. Jack Cross (in those days, claims manager for The Hartford) brought us our first file and over the next few weeks he urged other claims people to send us work. Gradually, nearly all of the other carriers with local offices asked that files we had been working on be transferred over to us. Jack was our champion and mentor and, while I think we would have made out all right on our own, I've always been convinced that Jack helped speed the process along.

Well, business increased and our fears that we might have to sell neckties at Benoit's proved unfounded. At this point we thought we ought to have a real lawyer, which is why we asked Peter DeTroy to join us, and the rest, as they say, is history. Of all of our accomplishments, we took the greatest pride in our commitment to hire the best people we could find, and in that we succeeded.

Bob was tremendously skilled as a lawyer, and I doubt anyone in the state was ever better prepared. He was the best workers' comp attorney, and when he switched to medical malpractice he mastered that area as well. There are any number of lawyers who excel in one field, but rarely in more than one. Bob knew medicine better than any other lawyer I know, and more than some doctors.

He was enormously intelligent with a quick and agile mind. He loved to analyze problems and was even better at solving them. He could get at the essence of a problem, and work a solution, better than anyone I ever knew.

Bob was the captain, navigator, chief engineer and helmsman of the firm. Those roles never interested me, but the truth is, he was better at them than I would have been. He loved the firm and his example set the tone for excellence. No one in the firm was respected more.

Above all, he was a good man and a good friend, and I miss him. □

*The following is an excerpt from a letter written by a physician represented by Bob and which was recently published by Medical Mutual Insurance Company of Maine in its quarterly newsletter "The Medical Mutual Advocate."*

First, I must speak to the work done on my behalf by Mr. Hanson and his partner, Mr. Taintor. I had no idea of Mr. Hanson's experience and reputation in the world of malpractice law when he first took me on as a client. As the case progressed, it became clear to me that I didn't just have adequate representation. I had the best available. I am in awe of the amount of work, time, and money that went into the effort to defend this case, to defend me. Of course the facts were on our side, but the facts do not speak for themselves. I have no doubt in my mind that the success in defending this case is primarily and directly attributable to Mr. Hanson's determined leadership in the preparation of the facts and the expert witnesses, and to Mr. Taintor's skillful and detailed preparation of the law. In court, where he put it all together, Mr. Hanson's performance was brilliant and convincing.

Believe me, gentlemen; the meaning of your choice for legal representation has not been lost on me.

As for Mr. Hanson himself, he did far more than simply represent me. Whether he meant to or not, he taught me many invaluable lessons, lessons that will last the length of my career.

He taught me the things I needed to know for this case, such as how to stand up and defend my actions and decisions in a positive manner, and how to be more confident without being arrogant. From watching him work, I learned

advanced lessons in strategic planning and negotiation, and I learned about professionalism. He insisted on honesty and integrity in all aspects of defending this claim, and in so doing he reaffirmed for me that these are still the most important things a man can have, even when the world seems to reward just the opposite. He was, in a sense, a role model as I went through this process. □



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I met Bob in 1978 when I was asked to apply for a position as an associate at a firm known then as Norman & Hanson. The firm had formed only 3 years before, and there were just 5 other lawyers working there at the time. Over the next 26 years, Bob and I worked together as law partners and friends.

When I began my career as a new lawyer at the firm, Bob assumed the role as my mentor. With his imposing size, booming voice, and quick mind, he was an intimidating figure – something he recognized but almost always tried to switch off, except when it was necessary to make a point with a bit of added emphasis. Bob was a gifted lawyer. I learned more during the first five years of my tutelage under his direction than during any other time in my career: not just how to be a good lawyer, but also how to be a good friend.

Of all of Bob's qualities, his commitment to his own core principles was most striking to me. First and foremost was his commitment to his family, which always held the most exalted position among his priorities. Then there was the firm. Bob promoted a culture that was designed to help lawyers grow and succeed. More than his own success (which was considerable), Bob delighted in that of everyone around him. There was no jealousy – no sense that another's achievement somehow dimmed his own beacon. Hanging prominently on his office wall was one of Bob's proudest monuments: a framed collage of firm announcements sent to clients whenever a new lawyer had been hired or an associate had been elevated to partner. It was a family tree of sorts, as we were special members of Bob's second family.



MARK LAVOIE

At times, Bob's greatest strength could also be his greatest weakness. His commitment to principle led him to uncompromising positions at times, which alienated him from others, mostly lawyers, who did not share his same passions. Bob was intensely committed, for example, to his physician clients. He did not believe that the judicial system was capable of delivering consistently fair results to doctors sued for malpractice. This belief led him, much to the chagrin of the trial bar, to fight for tort reform legislation. He understood that his involvement in this effort might not go over well with lawyers, but it did not deter him. In Bob's view, what was right was worth fighting for.

To the end, Bob loved the law, particularly its analytical dimensions. When he became too ill to work, I assumed responsibility for most of his cases. The task sounds worse than it was, because the case files were so meticulously organized and prepared. The most difficult aspect of the mission was to inform his disappointed physician and hospital clients that I, Bob's understudy, would take charge of their legal predicaments. None of them were tickled at the news. To them, Bob was the malpractice defense lawyer nonpareil, and they were right.

I remember working with Bob on those cases until just a few weeks before his passing. He would pick me up in his car, and we would drive to the Eastern Promenade to discuss a case, so he could explain his trial strategy. He did not want to meet in the office, because he didn't want anyone to make a fuss over him. At the start of our discussions, Bob seemed tired and drawn – not surprising in view of his disease and the treatment. Soon into the conversation, though, his eyes would brighten, his voice start booming again, and his passion return.

Unfortunately, many people never saw the lighter side of Bob. He was the man who adopted a starving dog from a Caribbean island, spent hundreds of dollars on its veterinary care, and shipped it to Maine to live with him and his wife, Kathy. He was the same man who called our children every year, pretending to be Santa Claus, to take their wish lists and bellow in that booming voice, "Merry Christmas." He was also the man who unfailingly found time to listen to everyone's problems, real or imagined, and to offer advice or encouragement, as needed. I suspect that all of us, friends, colleagues and family alike, perceived at times that Bob's guidance could be a smidgen heavy-handed; still it always was offered with good intentions. Bob was a kind, generous man.

The reality of Bob's passing still is difficult to accept. Any day now, I expect to see him round one of the labyrinthine corridors in our office with a smile on his face and a warm greeting on his lips. I will forever remember Bob gratefully as my mentor, partner, and friend. □

I had the great privilege to work closely with Bob for more than ten years. In that time, we spent literally hundreds of hours together, most of it focused on the practice of law but much of it just talking — about the problems of the world, about people, and especially about family. Bob knew something about almost everything, never lacked for strong opinions, and loved a good debate. In all the time I knew Bob the only arguments I ever felt I won were the ones he let me win.

Bob loved his work, he loved the law firm he helped build, and more than anything he loved his family. It always seemed to me that these sentiments were consistent parts of a larger picture. Bob was tremendously skilled in managing legal conflict, and in many ways he thrived on it. The cases that got him the most excited were the most complicated and challenging ones. When he prepared for a particularly contentious trial with especially high stakes, Bob was at his best. He prepared meticulously, methodically, and to the verge of exhaustion, leaving no stone unturned in his search for the key that would unlock and explain the case, and finally win it for him. By the time trial came around, Bob had virtually every fact at his fingertips, and his complete understanding of those facts gave him an uncanny ability to explain them to a judge or a jury.

Perhaps even more important to Bob than the cold, hard, objective facts of any given case, however, were the integrity of the legal process and the justness of his cause. As much as Bob cared about winning — and he cared a lot — he cared even more for the character, the reputation, and the emotional



CHRIS TAINTOR

well-being of his clients. Bob got no joy from using his superior courtroom skill to win cases he thought perhaps he should have lost, something that happened more than once. And he never would have pressed to trial a fight he was confident he would win, if to do that he would have had to put an emotionally fragile client through an ordeal that would be too hard to bear. All in all, Bob held firmly to the belief that integrity was the most important factor he could bring to bear in any courtroom battle. He believed that in close cases, juries would side with whomever they trusted the most. Bob believed it was his job, therefore, to earn and deserve their trust, and he did that job remarkably and consistently well.

Finally, though, for someone who handled conflict with such apparent ease, and even relished a good fight, the most striking aspect of Bob's character was his kindness. He was genuinely interested in what was best for the people

who worked at the firm, lawyers and staff alike.

Bob was a father figure — or at least a wise uncle — to many in the firm, and that's what gave him his greatest professional satisfaction in recent years. By then, everyone knew he was smart and could try a case as well as anyone. After a while, though, that was less important to him than the pleasure he got from watching the firm grow and thrive, and helping it in that process. Bob took great pride in the successes of his colleagues, and he made sure the rest of the world knew about their achievements. He worked tirelessly to make the firm a solid, ethically sound, and satisfying place to work. Bob regarded and treated the firm as an extension of his family — and that was good news for all of us, because Bob was more than anything a family man.

I feel incredibly fortunate to have had the chance to work with, and learn from, a man who truly knew what “family values” are, and who lived by them both personally and professionally. Bob will be missed by all the members of his extended family at NH&D. □



I came from another law firm in Portland to join Norman, Hanson and DeTroy in the spring of 1997. From the time I began here I worked almost exclusively in medical malpractice defense and most closely with Bob for seven and a half years. As I talk with friends and colleagues about the Bob they knew over the course of his long career, I hear themes that are consistent with the Bob I met that year.

Bob first, last and always sought excellence in his work. He set very high standards for himself and for everyone around him, and did not mince words when he thought some bit of work fell shy. At the time I entered his work career, Bob was devoted to ensuring that the legacy of his work and the firm would be passed along to the next generation of lawyers. He loved the big, thinking pieces of cases and from early on in a case could lay out the strategy he wanted to pursue at each step. He was clearly enamored of the teaching aspect of law as well and was very good at it. He talked about teaching from time to time and I think if he had continued on he would have found some way to incorporate more teaching into his work. Bob clearly found the medicine involved to be completely engaging and prided himself on mastering every detail of the medical concepts each case had to offer. He also wanted those with whom he worked to succeed and took great pleasure in the advancement and success of his colleagues, an end to which he didn't hesitate to lend his considerable talents.

Bob was a large presence in every sense of the word. He had strong opinions about everything from beverages to politics to baseball and enjoyed sharing them all in the lunch room. Orange juice was for breakfast only. No milk. Ever. During the day, it was okay to drink



EMILY BLOCH

anything "diet brown." Once, when returning from lunch, he was adamant about the most efficient way to cross the streets to get back to the office. He was wrong, of course, and I couldn't resist pointing it out. With an exasperated sigh, he exclaimed that he was making every effort to provide me with important mentoring insights but if I refused to listen, what could he do?

Bob also had the most organized office I have ever seen. He seemed to view his world in black and white and his office and practice reflected his ordered thought. He favored many classic turns of phrase that he would spin out while seated in his office chewing over a particular aspect of a case. Several of us have talked about writing down a comprehensive "Bob" lexicon but in the meantime have collected a few phrases that are strongly reminiscent of him. In seeking to have courts apply rules in an even handed manner, he frequently argued that what is "sauce for the goose is sauce for the gander," argument that has become informally known, and sometimes now referred to by judges, as the "goose/gander rule." "Post hoc, ergo propter hoc" somehow found its way into many briefs and a far too clever argument was "too cute by half," and was often summarily rejected. "At bottom" was the sign off phrase that

concluded many oral arguments, briefs and letters. Bob is greatly missed but I have no doubt that his influence will continue on in many ways and his voice (that voice!) will appear from time to time in our work.

There were parts of Bob's style and personality that one almost associates with a bygone generation. He was genuinely interested in his support staff and knew the names, ages, and interests of their children. He inquired about sporting and academic triumphs, commiserated about difficulties, offered advice and was most supportive during times of illness. Many staff members have shared with me some interest Bob had expressed or assistance he rendered that had made an important difference in their lives.

He clearly cherished his family and enjoyed talking about them, dogs included. After Thanksgiving, he would bring in a photo of the table after the people had departed. Seated around the table would be the several family dogs, some with napkins around their necks, finishing the leftovers. He also brought in a photo, taken not long before he passed away, of the oldest dog, Annie, sitting in his lap at the barber shop while he got his haircut.

Bob clearly considered work to be more than a place of employment. Norman Hanson and DeTroy was his work family and he put a tremendous amount of energy into enhancing that aspect of the firm. He was equally interested in his clients, to whom he was fiercely dedicated. He spoke of them more as colleagues to whom he owed great loyalty and about whom he felt great fondness. They, too, were part of his work family. All of those in Bob's work family and beyond benefited from and will greatly miss his dedication, intelligence, and clear sense of purpose. □

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Return service requested

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