

ATTORNEY PROFILES



Martha M. Tierney

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Martha Tierney joined KGHL in 1997. Her practice emphasizes dispute resolution through mediation and litigation in state and federal courts, as well as administrative agencies. She specializes in election law, civil rights law, family law, and commercial litigation, including contractual, construction, and media disputes.

Martha obtained her J.D. and a Master of Studies in Environmental Law *cum laude* from Vermont Law School in 1996, where she was also a Dean's Fellow. She completed her undergraduate work in 1988 at The Colorado College.

Martha is a member of the Common Cause National Governing Board and a member of the Colorado Common Cause Board of Directors. She is a 1997 graduate of the Colorado Institute for Leadership Training and an advocate for the Metro Volunteer Lawyers Family Law Court.

Martha is named in *The Best Lawyers in America*, and is a member of the Denver, Colorado, Colorado Women's and American Bar Associations.

Martha enjoys skiing, hiking and spending time in the mountains with her husband, Jonathan Kilburn, and their twin sons, Patrick and Cole.

Representative Cases

Colorado Common Cause et al. v. Davidson (Denver District Court). Represented citizens advocacy group and individual plaintiffs against Colorado Secretary of State Davidson for injunctive and declaratory relief as to election statutes and regulations that violated the Equal Protection Clause of the Fourteenth Amendment to the U. S. Constitution and the Help America Vote Act.

2003 Congressional Redistricting (Denver District Court; U.S. District Court, Colorado). Represented plaintiffs in lawsuit to challenge new congressional districts for Colorado created by the Colorado legislature to supersede judicially drawn congressional districts.

Colorado Right to Life Committee and Citizens for Responsible Government v. Donetta Davidson (U.S. District Court, Colorado). Represented Colorado Common Cause and the League of Women Voters of Colorado in lawsuit brought by anti-abortion groups against the new campaign finance reform law, Article 28 of the Colorado Constitution.

Advantage Wireless, Inc. v. Voicestream (commercial arbitration). Represented distributor of wireless services against national wireless carrier in breach of contract arbitration, in which our client was awarded damages and attorneys' fees.

League of Women Voters of Colorado and Colorado Common Cause v. Centennial Spirit et al (Colorado Court of Appeals). Represented the League of Women Voters of Colorado and Colorado Common Cause against issue committee Centennial Spirit for violations of the Fair Campaign Practices Act.

Brotha 2 Brotha vs. City and County of Denver (U.S. District Court, Colorado). Represented city in civil rights and constitutional class action litigation.

Client v. Defendants (Colorado Secretary of State Administrative Hearing). Represented individual against county officials for violations of the Fair Campaign Practices Act.

Christensen v. Lu (Denver District Court; Colorado Court of Appeals). Successfully represented plaintiff client in claim to ownership share of multi-million dollar Colorado Lottery prize. Favorable jury verdict and implementing judgment affirmed in November 2001 by Colorado Court of Appeals.

James Crowley et al v. Symphony Homebuilders, LLC et al. (Summit County District Court). Represented defendant construction loan company in multi-party construction litigation involving mechanics' liens, breach of contract, and negligence claims.

Representative family law cases include those with complex issues such as: (1) valuing professional practices (attorneys, physicians, bankers, etc.); (2) valuing closely held corporations, family partnerships and trusts; (3) valuing and tracing separate property claims; (4) valuing stock options and deferred compensation plans; (5) analyzing and investigating the income of self-employed individuals; (6) litigating the validity and effect of marital agreements; (7) litigating post-decree challenges to decided issues; and (8) prosecuting and defending appeals.

Employment History

- Kelly Garnsey Hubbell + Lass LLC (Denver, Colorado): Member, 2004-present; Associate, 1997-2003
- Colorado Attorney General's Office, Natural Resource Section: Volunteer Attorney, 1996

Education

J.D., Vermont Law School, 1996

Honors: Dean's Fellow, 1995-1996

M.S.E.L., Vermont Law School, 1996, *cum laude*

B.A., The Colorado College, 1988

Licensure

Admitted to practice in Colorado, United States District Court for the District of Colorado, and United States Supreme Court.

Civic and Professional Activities

- Common Cause National Governing Board: Member, 2005 - present.
- Colorado Common Cause: Board of Directors, 1998-present; Chair, 2000-2004.
- Faculty of Federal Advocates: Member, 2003-present.
- El Centro Bienestar: Advocate, 2001-present.
- Metro Volunteer Lawyers, Family Law Court: Advocate, 1998-present.
- Legal Aid Society of Metropolitan Denver, Permanent Restraining Order Project: Advocate, 1997-2000.
- National Institute for Trial Advocacy (National Session): Graduate, 2000.
- Colorado Women's Bar Association, Legal Services Committee:

Member, 1997-1999.

- Colorado Institute for Leadership Training: Graduate, 1997.
- Denver, Colorado, Colorado Women's and American Bar Associations: Member.
- Listed in *The Best Lawyers in America*.

Publications

Co-Author: "Tribal Authority Over Air Pollution Sources on and off the Reservation," 25 *Envtl. L. Rep.* 10583 (*Envtl. L. Inst.*, Nov. 1995).

"Constitutional Law," *Annual Survey of Colorado Law*, all editions, 2000-present, CLE in Colorado, Inc. Education.