



Mitchell J. Banas, Jr.

Member

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Profile

Mitch understands that his clients' business objectives are paramount, and uses those objectives as the guideposts which drive his litigation strategy.

While simplifying disputes into core themes that are easily understandable and persuasive to juries, judges and arbitrators alike, Mitch's in-depth legal knowledge and decades of practical experience allow him to cost-effectively formulate winning strategies and creative paths to resolution.

His extensive experience in complex commercial and tort litigation includes:

- breach of contract
- antitrust
- non compete
- insurance
- construction
- class action
- environmental
- civil rights
- energy
- intellectual property

Representing both plaintiffs and defendants, including municipal entities, Mitch's clients include companies in the advanced manufacturing, health insurance and energy industries.

Honors & Affiliations

- Listed in:
 - *The Best Lawyers in America*® 2010-2022, Commercial Litigation; Copyright Law; Litigation - Intellectual Property (listed for more than 10 years)
 - *Buffalo Business First*, Legal Elite of Western New York, 2016, 2019 - 2020
 - *New York Super Lawyers 2021*®, Business Litigation (listed for more than 10 years)
 - *Martindale-Hubbell*®, AV Preeminent Rated
- Pro Bono Honor Roll, United States District Court for the Western District of New York, January 2020 - June 2021
- Erie County Bar Association
- New York State Bar Association
- Western New York Trial Lawyers Association, former Treasurer
- Advocates Club of Western New York, former President

Education

- University at Buffalo School of Law (J.D., *cum laude*, 1985)
- State University of New York at Fredonia (B.A., *cum laude*, 1982)

Bar/Court Admissions

- New York
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Bankruptcy Court for the Western District of New York
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Western District of New York

Practices

- Litigation
- Intellectual Property

- Senior Fellow, Trial Lawyer Honorary Society
- Diversity Law Institute
- Trial Law Institute
- Eagle Scout

Representative Matters

- Taken well in excess of ten cases to jury verdict, and has handled dozens of appeals.
- Successfully defended state officials in a civil rights class action litigation resulting from the 1971 Attica riot. This included class action liability and individual damages trials and appeals therefrom.
- Co-chaired one of the very few CERCLA cases ever to have been jury-tried nationally.

Representative Publications

- Quoted in "ADR Offers a Different Way to Hash Things Out," *Buffalo Law Journal*, August 19, 2019
- "Avoiding the 'Litigization' of Arbitration," *New York Law Journal*, March 15, 2019
- Quoted in "Weighing Arbitration's Pros and Cons," *Buffalo Law Journal*, July 11, 2018
- "Trial Law: A Complex Beast," *Buffalo Law Journal*, November 18, 2013
- "Complex Cases Offer Chances, Challenges," *Buffalo Law Journal*, July 12, 2010

Other Activities

- Greater Niagara Frontier Council, Boy Scouts of America, Board Member
- Lumber City Development Corporation, Board Member
- New York State Forest Owners Association, Niagara Frontier Chapter, Vice-Chairperson
- Nor-Ton Red Jacket Club, Member