



## 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*® 2025, Commercial Litigation; Litigation - Intellectual Property (listed for 15 years)
  - *The Best Lawyers in America*® 2010-2024, Commercial Litigation; Copyright Law; Litigation - Intellectual Property
  - *Buffalo Business First*, Legal Elite of Western New York, 2016, 2019 - 2020
  - *New York Super Lawyers*®, Business Litigation, 2024 (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

### 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

- Western New York Trial Lawyers Association, former Treasurer
- Advocates Club of Western New York, former President
- 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 'Litigation' 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