



# **MONTHLY MEDIATOR SPOTLIGHT**

December 2021

One of the distinguishing features of the WDNY Plan for Alternative Dispute Resolution (“ADR Plan”) is the autonomy of the parties throughout the mediation process, including the selection of a Mediator. Under Section 5.5 of the ADR Plan, the parties are directed to confer and select an impartial neutral (Mediator) together, either from the Court’s Mediator Panels (Buffalo and Rochester) or an independent Mediator. To familiarize members of this bar with the Mediators available to them on the Court’s Mediator Panels, each month two Mediators will be selected by the Court at random (one from each Panel) and featured in this publication.

# The United States District Court for the Western District of New York Monthly Mediator Spotlight (December 2021)

## **Janice M. Iati, Esq.**

The Law Firm of Janice M. Iati, P.C.  
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**Member of WDNY Mediator Panel Since:** 2019

**Hourly Mediation/Preparation Rates:** \$225 (M)\* \$200 (P)\*

**Nature of Practice/ Areas of Specialization:** Premises liability, Product liability, Commercial litigation, New York State Labor Law, Insurance defense

## **Biographical Information**

**Education:** Albany Law School, Albany, New York J.D.; St. John Fisher College, Rochester, New York B.A.

**Work History:** 2007 to Present: The Law Firm of Janice M. Iati, P.C., New York State Certified Woman Owned Business Pittsford, New York. This is a civil litigation firm focusing on defense litigation, in all levels of state and federal trial and appellate courts, in cases involving negligence, contracts, products liability and Labor Law. I have acted as General Counsel and assisted General Counsel for corporate clients who are self-insured. I have also worked nationwide with counsel to ensure compliance with the companies' policies and standards. 1990 to 2007: Martin & Iati, LLP Rochester, New York Partner. This was a civil litigation firm focusing on defense litigation, in all levels of state and federal trial and appellate courts, in cases involving negligence, contracts, products liability and Labor Law. 1988 to 1990: Culley, Marks, Tanenbaum, Reifsteck, Potter & Cappell Rochester, New York, Associate Attorney. As an associate in this general litigation firm, I handled the insurance defense litigation for several carriers. 1984 to 1988: Monroe County District Attorney's Office Rochester, New York, Assistant District Attorney. As an ADA, I handled the criminal prosecution of major felony crimes including homicide, assault, burglary and rape. I also participated in White Collar Crime prosecution. 1981 to 1984: Monroe County Legal Aid Society Rochester, New York, Attorney Law Guardian, Monroe County Family Court.

**Professional Achievements:** New York State Certified Women-Owned Business Enterprise; Federally certified Woman-Owned Business; Selected as one of the Top Attorneys of North America 2019-2020 Edition by The Who's Who Directories; Rated AV Preeminent by Martindale Hubbel.

**Personal Achievements:** I have been married to my husband Gerard for 28 years and have one son, Christopher, who graduated from Syracuse Law and has passed the New York and Colorado bar. He is admitted to practice in Colorado and waiting to be admitted in New York. He works in a Syracuse civil litigation firm.

*\*Mediation and Preparation rates are Court-approved and not indicative of the fees ordinarily charged by these professionals for their legal or mediation services.*

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## **James W. Smyton, Of Counsel**

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**Member of WDNY Mediator Panel Since:** 2006

**Hourly Mediation/Preparation Rates:** \$275 (M)\* \$275 (P)\*

### **Nature of Practice/ Areas of Specialization:**

Corporate, Mergers & Acquisitions, Not-For-Profit, Real Estate, Venture Capital & Technology

### **Biographical Information:**

**Background:** Jim has practiced in the area of corporate law for nearly 50 years.

**Education:** Kent College of Law, J.D., *with distinction*, 1971; State University of New York at Buffalo, B.A., 1966

**Areas of Practice:** Jim's practice has focused in the areas of corporate counseling, including acquisitions, close corporations, shareholder disputes and related contract disputes. He has also worked with many not-for-profit corporations.

**Professional Achievements:** Jim is a Federal Court Mediator for the Western District of New York. He has been listed in *The Best Lawyers in America*®; Selected for the *Upstate New York Super Lawyers*® list, 2007-2020; Listed in Legal Elite of WNY, *Business First of Buffalo* and *Buffalo Law Journal*; and has received the Volunteer Services Award from the Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, Inc.

**Community Achievements:** Jim has dedicated his time and resources to support the Western New York community in a variety of ways. He has held leadership roles and provided volunteer support to the following organizations all while maintaining a business law practice: National Federation for Just Communities, National Board of Directors, Former Chair; Presbytery of Western New York, Board of Trustees, Past President; Zoological Society of Buffalo, Former Chair and Board Member; Shea's Performing Arts Center, Former Chair and Board Member; Erie County Bar Foundation, Former member of the Board of Directors.

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