



MONTHLY MEDIATOR SPOTLIGHT

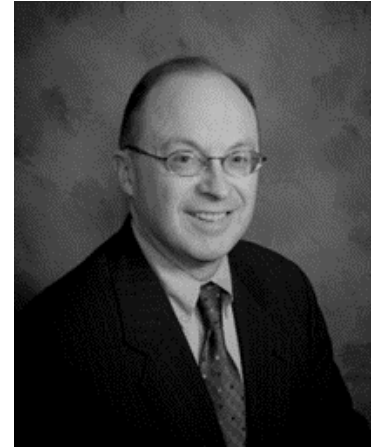
October 2022

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 (October 2022)

Michael A. Brady, Esq.

Hagerty & Brady
69 Delaware Avenue
Suite 1010
Buffalo, NY 14202



Member of WDNY Mediator Panel Since: 2006

Hourly Mediation/Preparation Rates: \$300 (M) \$300 (P)

Nature of Practice/Areas of Specialization: Commercial; General Litigation; Tort

Background: Buffalo, NY.

Education: Le Moyne College, B.S., 1970; Cornell University, J.D., cum laude, 1975

Work History: Michael A. Brady has devoted his legal practice exclusively to litigation and trial work. Before forming Hagerty & Brady in 1989, Mr. Brady was a law clerk to then Chief Judge John T. Curtin, WDNY (1975-77); a litigation associate at Hodgson Russ LLP (1977-79); an Assistant United States Attorney, WDNY (1979-83, ending as the Chief, Criminal Division); and as an associate and then a partner in the litigation department of Moot & Sprague (1983-89).

Areas of Practice: Mr. Brady's litigation practice has been widespread, including personal injury, insurance defense, construction law, environmental law, commercial law, employment disputes, legal malpractice and aviation law. He has tried complex cases in state and federal court on behalf of plaintiffs and defendants. Mr. Brady has been on the Mediation Panel since the commencement of the Western District of New York's Mediation Program in 2006. Mr. Brady has mediated hundreds of Federal Court lawsuits. These mediations have included wrongful death actions, commercial disputes, trademark litigation, admiralty disputes, construction disputes, personal injury actions, ERISA disputes, FDCPA actions and numerous other matters. In addition to his role as a Federal Court panel mediator, Mr. Brady is frequently requested to mediate State Court disputes in Buffalo and Rochester. He has also been engaged to arbitrate disputes both as single arbitrator and as a member of a panel.

Professional Achievements: On the occasion of the dedication of the new Federal Courthouse in Buffalo, on May 3, 2012, the judges of the Court recognized Mr. Brady with the Court's first Professionalism Award. The award recognized Mr. Brady's contributions to the Court's mediation program, his pro bono work at the Court, and his efforts in the community, specifically his 17-year involvement in the high school Mock Trial program. Mr. Brady was recognized by the Attorney General of the United States for his work in a series of bank fraud prosecutions in Federal Court in Buffalo. He was also selected by Judge Richard J. Arcara as a Special Prosecutor in federal court on a series of contempt citations. More recently, he has been recognized by various peer reviews including Best Lawyers in America, Super Lawyers and Business First's Who's Who in Law, Business First's Who's Who in Law, Legal Elite of WNY, Lawyer of the Year and 2022 Lawyers of Distinction by the New York Times and The National Law Journal. In 2019, Mr. Brady and his partner and son Daniel were awarded the Pro Bono Award by the Judges of the WDNY. He has long held the Martindale-Hubbell AV rating and is listed in the Bar Register of Preeminent Lawyers.

The United States District Court for the Western District of New York Monthly Mediator Spotlight (October 2022)

Bernadette Gargano, Esq.

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University at Buffalo School of Law
Buffalo, New York 14260-1100
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716-645-2381 (Direct Line)
gargano@buffalo.edu



Member of WDNY Mediator Panel Since: 2019

Hourly Mediation/Preparation Rates: \$250 (M) \$200 (P)

Nature of Practice/Areas of Specialization: Civil Rights/Constitutional Law; Commercial, complex, contract, and business law; Construction Law; Education/Higher Education Law; Employment Law; Intellectual Property.

Background: Bernadette Gargano is a Western New York native, who currently resides in Snyder, New York, with her family.

Education: Cornell Law School, J.D., cum laude; UNC-Greensboro, M.A. in English Literature; University at Buffalo, B.A. in English and Women's Studies (dual degree), summa cum laude, Phi Beta Kappa

Work History: Ms. Gargano is currently the Vice Dean of Student Affairs and a Lecturer-in-Law at the University at Buffalo School of Law, where she teaches advanced legal skills courses (federal and state practice), civil rights litigation, and civil rights seminars. Ms. Gargano also directs the legal writing program and the Access to Justice Hybrid Clinic, f/k/a the Pro Se Practicum, and the Pro Se Assistance Program on behalf of U.B. Law. Ms. Gargano has presented at international, national, and regional conferences on a variety of legal topics, and she serves on national and internal academic committees. She currently only practices on a pro bono basis. Preceding her academic career, Ms. Gargano practiced as a commercial and business litigator, including broad-based business counseling and advising. Her practice focused on the areas listed here, but she also has experience in estates and trusts, tax, and product liability. Prior to practice, Ms. Gargano served as a confidential law clerk to the Honorable William M. Skretny in the Western District of New York.

Professional Achievements: ECBA-VLP, Champion for Justice – Federal Court Award, 2018 Jacob D. Hyman Award in recognition of significant contributions to excellence among students of color, 2018; Commencement Faculty Award in recognition of teaching excellence, 2016 Women Lawyers of WNY, Lawyer of the Year, 2015; ECBA Justice Award, 2015, awarded to the Pro Se Practicum and ECBA-VLP as co-recipients; Association of Legal Writing Directors, Teaching Grant for Innovative Curriculum, 2012 & 2016

Personal Achievements: In service to undergraduate education at the University at Buffalo, Ms. Gargano developed and taught the University's pilot program for "extended learning," entitled "Lawyers as Agents of Social Change." This week-long program was housed on the Chautauqua Institution and taught in collaboration with the Robert H. Jackson Center. The program focused on the Nuremberg Trials, the related development of international courts, and Justice Jackson's roles as the first U.S. prosecutor at Nuremberg and an Associate Justice of the U.S. Supreme Court. This program ran for three years and was the only undergraduate program of its kind.