

James A. Smith, Jr.

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ALTERNATIVE DISPUTE RESOLUTION RESUME

PERSONAL PHILOSOPHY: I am a trial lawyer who devotes a large portion of my practice to serving as a mediator and arbitrator. I believe that my combined perspectives as an active litigator and neutral are extremely valuable in enabling me to assist parties in resolving their disputes.

EDUCATION: B.A., University of Notre Dame (1970); J.D., Cornell University (1973).

COURT ADMISSIONS: I am authorized to practice in Washington State and before the U.S. District Court for the Western and Eastern Districts of Washington, the U.S. Court of Appeals for the Ninth Circuit, the U.S. Court of Appeals for the Fifth Circuit, and the U.S. Supreme Court. I have appeared and argued before all of these courts. I have tried cases in a variety of diverse jurisdictions, including Alaska, Washington D.C., California, Louisiana, Mississippi and Georgia, as well as Washington.

LEGAL EXPERIENCE AND WORK HISTORY:

I was a partner in the Seattle law firm of Bogle & Gates before launching the firm of Perey & Smith in 1982. Smith & Leary was formed in June, 1986 and Smith & Hennessey was formed in April, 2000. Throughout my entire legal career I have been involved in a litigation practice consisting of trial, appellate and dispute resolution work. I have represented plaintiffs and defendants, and individuals as well as various business entities.

I have appeared in a variety of state and federal courts and personally argued cases at all levels of the Washington State and federal court systems, including various state trial courts, the Washington State Court of Appeals, the Washington Supreme Court, various U.S. District Courts, the U.S. Court of Appeals for the Ninth and Fifth Circuits, and the U.S. Supreme Court.

FOCUS OF LAW PRACTICE: My practice emphasizes complex litigation, including litigation of business, commercial, insurance, environmental, securities, employment, contract, construction and tort claims. A significant amount of my practice involves work as a mediator and arbitrator, as well as representing clients through alternative dispute resolution techniques.

PROFESSIONAL ASSOCIATIONS: Lawyer Representative for the Western District of Washington to the Ninth Circuit Judicial Conference (1995–98); Co-chair and Chair, Federal Bar Association Alternative Dispute Resolution Committee (1995–2001); Panel of Arbitrators, American Arbitration Association (1986–); Panel of Mediators, United States District Court for the Western District of Washington CR 39.1 Program (1981–); Chairperson, Federal Bar

Association ADR Task Force (1995); Vice President, Federal Bar Association (2000–01); President, Federal Bar Association (2001-02); Member and Chairperson, Civil Justice Reform Act Advisory Committee, United States District Court Western District of Washington (1999–); Member, American Bar Association (Litigation Section and Dispute Resolution Section); Member, Washington State Bar Association (Trustee Trial Practice Section (1983–86), Member, ADR Section); Member, King County Bar Association (ADR Section); Trustee, King County Bar Foundation (2009-); Fellow, American College of Trial Lawyers; Fellow, American Board of Trial Advocates; Member, International Society of Lawyers Barristers; Member, ADR Roundtable. For a number of years I have been voted by my peers into Washington’s Top 100 Super Lawyers in Washington Law and Politics.

ALTERNATIVE DISPUTE RESOLUTION TRAINING: I have been a frequent lecturer in CLE programs involving mediation, arbitration and other forms of ADR. I have been involved in presenting CLE programs to the U.S. Court of Appeals for the Ninth Circuit Judicial Conference, ABA Dispute Resolution Section, Washington State Bar Association, King County Bar Association, Washington State Attorney General’s office, the Federal Bar Association for the Western District of Washington, the Northwest ADR Conference and other professional organizations. I have taken the American Arbitration Association Commercial Arbitration and Securities Arbitrator Training Courses, as well as annual AAA CLE updates. I am a member of the American Arbitration Association Large Complex Case Panel.

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE: I have been involved as an arbitrator on numerous occasions, including many cases on behalf of the American Arbitration Association. A significant amount of my practice involves acting as a mediator under the CR 39.1 ADR program in cases pending in the United States District Court for the Western District of Washington, as well as providing mediation and arbitration services in cases pending in the Washington State court system and other forums. Areas in which I successfully have served as an arbitrator or neutral include: breach of contract, antitrust, construction, securities, shareholder rights, partnership, professional dissolutions, employment, insurance coverage, intellectual property, business tort, personal injury, professional negligence, multi-district air crash litigation and a number of other substantive areas. I have successfully mediated many complex, multi-party disputes. I have mediated cases of all sizes, including many multi-million dollar disputes.

ALTERNATIVE DISPUTE RESOLUTION PRACTICE AREAS: I am an experienced civil litigator and ADR provider. Areas of focus include the broad spectrum of civil litigation ranging from contract and business disputes through tort and personal injury matters.