

## James T. Smith | Partner

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## Business Litigation Experience

James T. Smith has more than 40 years of experience in complex commercial litigation, products liability, and white collar criminal defense nationwide. He serves both corporate and individual clients in a wide variety of industries, including technology, transportation, healthcare, aerospace, and defense, in disputes involving fraud and abuse, intellectual property, corporate governance, government and internal investigations, white collar criminal defense, breach of contract and related claims, and many other areas.

## Leadership

Jim has served as vice chair of Blank Rome since 2020 and formerly served for eight years as chair of Blank Rome's Litigation Department, overseeing attorneys across nine practice groups and 14 offices. Prior to that, Jim was the practice group leader for the Commercial Litigation group for six years. He presently co-chairs the firm's Strategic Planning Committee and is a member of the Executive and Distribution Committees.

## Accolades

Highly regarded as one of the nation's top-rated business attorneys, *Chambers USA* has recognized Jim as a leader in general commercial litigation for nearly two decades, noting recently that he is considered to be a "fantastic litigator." Some of the sources quoted in *Chambers* have said:

**2023:** "James is a strategic master. He is tough and experienced."

**2021:** “He’s an exceedingly skilled litigator and trial lawyer.” “A very smart and strategic advocate.”

**2020:** “... a meticulous litigator who knows his business ...”

**2018:** “... strategically thinks ahead and figures out the best route to the solution better than anyone I have ever met ...”

**2017:** “... brilliant, super well-prepared and relentless ...”

**2016:** “... He is as smart as can be—the most strategic thinker I’ve met in my life ...”

## Select Engagements

- Resolved complex, high-profile criminal and civil proceedings successfully for a publicly traded medical device manufacturer in challenging cases receiving national media attention.
- Lead trial counsel for various cases around the country, including a recent unanimous defense verdict in Philadelphia’s first talc products liability trial for the world’s largest healthcare company.
- Achieved a favorable settlement for the defense in a case alleging violations of the Alien Tort Statute—litigation that was followed by the national media and referenced in a *New York Times* best seller, which involved enhanced interrogation techniques for high-value detainees captured in foreign countries.
- Represented the largest owner of shopping malls in the United States in a nationwide class action suit brought by former tenants alleging a RICO conspiracy to overcharge for electricity, seeking hundreds of millions in damages. After class certification was denied, plaintiff dismissed all claims with prejudice with no financial payment or other compensation paid to plaintiff or plaintiff’s counsel.
- Reached a favorable settlement for a majority owner of a sports team in an action involving family assets worth over one billion dollars (and continues to represent the family enterprise in other ancillary trust and business litigations).
- Recovered over \$50 million of private equity investors’ funds lost due to negligence by auditors who failed to detect ongoing fraud.
- Secured the dismissal of a \$250 million lender liability claim and related bankruptcy proceeding against a publicly traded commercial lender, in addition to a judgment that the case was filed in bad faith.
- Obtained a successful summary judgment against plaintiffs who made a \$600 million claim involving theories about alleged effects of violent video games for a publicly traded video game manufacturer.
- Awarded a multimillion-dollar jury verdict in the criminal and civil fraud prosecution of a publicly traded defense contractor.
- Achieved a \$50 million jury verdict in a case involving breach of contract, fiduciary duty, trademark infringement, conversion, and other claims for a publicly traded branding company.

- Awarded \$30 million in arbitration for a transportation systems service provider in a case involving claims that shareholders of a newly acquired company misrepresented its financial condition.
- Brought about a successful result for a financial services software provider after bankruptcy litigation arising from the acquisition of a business solutions provider valued at \$825 million.
- Achieved the withdrawal of complaint and court-imposed sanctions against plaintiffs after defending a class action involving allegations of toxic tort exposure.
- Awarded a \$20+ million jury verdict for an individual victim of severe personal injury.
- Resolved litigation successfully for a commercial developer in a case involving the right of first refusal related to dozens of parcels of real estate.
- Litigated a two-week jury trial for a major hospital network in multiple cases involving Dragonetti Act claims in which the jury found the plaintiffs suffered no damage.
- Represented a major Philadelphia law firm in a three-week jury trial for an alleged legal malpractice claim, resulting in a defense verdict for the client.

## Admissions

- New Jersey
- Pennsylvania
- Supreme Court of New Jersey
- Supreme Court of Pennsylvania
- Supreme Court of the United States
- U.S. District Court - Eastern District of Pennsylvania
- U.S. District Court - Middle District of Pennsylvania
- U.S. District Court - New Jersey
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit

## Education

- Temple University Beasley School of Law, JD
- Temple University, BA, magna cum laude Phi Beta Kappa

## Recognitions

- AV Preeminent®, listed in Martindale-Hubbell®
- 2006–2024, Commercial Litigation in Philadelphia, listed in *Best Lawyers in America*®
- 2007–2023, Litigation: General Commercial Law, listed in *Chambers USA*
- 2004, 2006–2023, “Pennsylvania Super Lawyer” in Business Litigation, listed in *Super Lawyers*®
- 2022, “Best of the Bar: Business Litigation,” listed in the *Philadelphia Business Journal*

