

Michael R. Smith

Partner

Michael R. Smith leads the firm's Native American law practice, representing tribal interests in nationally significant litigation and political disputes involving land claims, trust land, gaming, employment, governance, tax, and sovereignty issues.

Mike also represents clients in complex criminal and civil matters. He has been recognized in *The Best Lawyers in America* since 2007, and is listed in *Super Lawyers*.

Mike serves as general counsel to the firm.

Mike previously served as a law clerk to the Hon. William Wayne Justice of the U.S. District Court for the Eastern District of Texas and to the Hon. Albert Tate, Jr. of the U.S. Court of Appeals for the Fifth Circuit.

Recognitions

- The Best Lawyers in America, Native American Law
- Super Lawyers (Washington, DC)

Bar admissions

- District of Columbia
- Maryland
- Louisiana

Court admissions

- U.S. Supreme Court
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Appeals, District of Columbia Circuit



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Practice focus

- Native American Law
- Business Litigation
- Legal Profession and Ethics

Education

- Stanford Law School, J.D., 1979
 - Associate Editor, *Stanford Law Review*
- Tulane University, B.A., *summa cum laude*, 1976
 - Phi Beta Kappa

Languages



ZUCKERMAN
SPAEDER

- U.S. District Court, Northern District of California
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of Louisiana
- U.S. District Court, District of Maryland
- U.S. District Court, Northern District of New York
- U.S. District Court, Eastern District of Texas

Clerkships

- Hon. William Wayne Justice, U.S. District Court, Eastern District of Texas
- Hon. Albert Tate Jr., U.S. Court of Appeals, Fifth Circuit

Representative matters

- Represents the Oneida Indian Nation in state and federal litigation involving taxation of Oneida Nation lands and transfer of its lands to the federal government to be held in trust. These matters included a successful application to the U.S. Department of the Interior to hold more than 13,000 acres of land in trust. We have argued important legal questions concerning the status of Oneida Indian Nation lands and tribal rights in the U.S. Supreme Court, U.S. Court of Appeals for the Second Circuit, and other venues.
- Defending a client in an FCPA and money laundering investigation by the DOJ related to alleged public corruption in Venezuela.
- Represented multiple law firms in connection with pre-litigation and litigation claims made by departing partners.
- Represented emergency room physicians suing an insurer on claims of failure to reimburse the cost of care in compliance with state law, resulting in a pre-trial settlement.
- Represented a class of plaintiffs in a class action alleging fraud against a health insurer engaged in door-to-door marketing of limited-benefits health insurance policies. The litigation included a successful defense of class action certification in the Arkansas Supreme Court, and ultimately culminated in a court-approved settlement providing more than \$40 million of value to the plaintiff class.



- Represented whistleblowers in Hurricane Katrina-related litigation in federal courts in Alabama and Mississippi involving a major casualty insurer and a claims adjustment company for whom the whistleblowers worked. The disputes between the whistleblowers and the company ultimately settled.
- Represented the International Brotherhood of Teamsters union in connection with congressional and other investigations of an election of national officers and in connection with the conduct of a succeeding election. The union successfully held the succeeding election.
- Defended psychiatrists in connection with lawsuits and ethics inquiries arising from malpractice claims made by former patients. These representations involved claims ranging from negligent prescriptions to undue familiarity.

