



Greg Smith

Of Counsel - Smith Legal, PLLC

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LITIA
LITIGATION COUNSEL
OF AMERICA
FELLOW



Named a Texas Super Lawyer® in civil appeals (by Texas Monthly magazine) and awarded the President's Award by the Texas Association of Defense Counsel, Greg has specialized in appellate practice for over 29 years. In an Of Counsel position, Greg with Smith Legal, PLLC heads the appellate group, Greg is known for thorough, insightful briefs and arguments. He has represented clients in over 200 civil appellate proceedings, appearing in 13 Texas Courts of Appeal, the Texas Supreme Court, the en banc Federal Fifth Circuit, and the United States Supreme Court. Greg's practice bears the coveted AV Preeminent® rating from Martindale Hubbell and is a fellow of the prestigious, invitation only Litigation Counsel of America.

Because he is committed to a better judicial system, Greg regularly lectures at trial and appellate continuing education courses. He formerly chaired the Amicus Curiae Committee for the Texas Association of Defense Counsel, and he has been recognized by the local Smith County Bar Association for legal service to the underprivileged. Active in his community, Greg also recently completed an unprecedented three terms as Board Chair of the East Texas Symphony Orchestra Association.

Education

- University of Texas School of Law, J.D. (with honors)
- Rice University, M.Ch.E.
- Baylor University, B.S., Chemistry (with honors)

Certifications

- Civil Appellate Law, Texas Board of Legal Specialization

Practice Areas

- Appeals
- Trial Support - Consultation
- Family Law Appeals

Representations

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- Over 200 appeals spanning personal injury, product liability, family law, professional negligence, oil and gas, contract, and business-torts cases
 - Amicus briefs
 - Class-action and collective-action appeals, involving upwards of one million class members
 - Trial consultations for error preservation, drafting of jury charges, Daubert motions, and post-trial motions
 - Appeals from civil-rights judgments on behalf of local and regional governmental entities
 - Family law appeals, including custody and property division
 - Over 50 mandamus proceedings, some on behalf of prominent regional, national and multinational entities

Professional Associations

- Fellow, Litigation Counsel of America
- Fellow, American Bar Foundation
- Fellow, Texas Bar Foundation
- College of the State Bar of Texas
- Defense Research Institute
- Texas Association of Defense Counsel - Amicus Curiae Briefing Committee, Chair 2000-2005
- State Bar of Texas, Appellate Section
- ABA Advisory Panel
- ABA Counsel of Appellate Lawyers
- ABA Appellate Advocacy Committee
- Bar Association of the Fifth Federal Circuit
- Fellow, Smith County Bar Foundation
- Texas Lone Star Network
- Diversity Law Institute
- Trial Law Institute

Memberships

- Society of American Foresters
- Texas Forestry Association
- Texas Lyceum Association (Alumnae)
- American Chemical Society
- Phi Delta Phi

Civic Activities

- East Texas Symphony Orchestra Association, Immediate Past Board Chair

Honors & Recognitions

- AV Preeminent Rated®, Martindale-Hubbell
- Texas Super Lawyer (2003-2007; 2009-present) (A Thomson Reuters service)
- Top Rated Lawyers in Appellate Law
- Texas Association of Defense Counsel, President's Award

Admitted to Practice

- U.S. Supreme Court
- U.S. Courts of Appeals, Third & Fifth Circuits
- U.S. District Courts, Eastern & Northern Districts of Texas
- Texas State Courts

Selected Publications

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- "Developments in Damage Law" The Advocate (State Bar of Texas) (2011)
 - "A Philosophy of Preserving Error" Smith County Bar Association (2011)
 - "Briefing to Win: Attention-Grabbing Motions & Briefs" Texas Association of Defense Counsel – Winter Meeting (2008)
 - "You Won't Believe What's Happening in Arbitration!" Texas Association of Defense Counsel – Winter Meeting (2006)
 - "Transitioning From Trial To Appeal" State Bar of Texas – Federal Court Practice (2004)
 - "The Eroding Attorney-Client Privilege" Texas Association of Defense Counsel – Winter Meeting (2004)
 - "Is this Interlocutory Appeal Necessary?" State Bar of Texas – Conference on Suing/Defending Government Entities (2001)
 - "The Jury Charge in Texas After Casteel" Texas Association of Defense Counsel – Winter Meeting (2001)
 - Guide to the New Texas Rules of Appellate Procedure State Bar of Texas (co-author) (1997)

Selected Reported Cases

- Landgraf v. USI Film Products, 511 U.S. 244 (1994); Kinney v. Weaver, 367 F.3d 337 (5th Cir. 2004)(en banc); Patterson v. Mobil Oil Corp., 335 F.3d 476 (5th Cir. 2003); in re E. I. du Pont de Nemours & Co., 136 S.W.3d 218 (Tex. 2004); In re E. I. duPont de Nemours & Co., 92 S.W.3d 517 (Tex. 2002); State Farm Mut. Auto. Ins. Co. v. Whitehead, 988 S.W.2d 744 (Tex. 1999); Stuart v. Bayless, 964 S.W.2d 920 (Tex. 1998); May v. United Serv. Ass'n of America, 844 S.W.2d 666 (Tex. 1992).