

Jeff Smith

PARTNER



(901) 288-1683
jeff.smith@wallerlaw.com

Assistant: Bernadette M Streveler
(615) 850-8146
bernadette.streveler@wallerlaw.com

511 Union Street, Suite 2700
Nashville, TN 37219
615.244.6380
615.244.6804

Companies across a wide range of industries - including manufacturing, healthcare, construction and agriculture - turn to Jeff Smith for resolution of their commercial, construction or employment disputes, as well as his advice and counsel on corporate, contractual and employment matters.

Jeff has represented owners, architects, general contractors and sub-contractors in a number of construction disputes involving commercial properties, including convention centers, continuing care retirement communities, nuclear power plants, coal-fired power plants, and nursing homes. In addition, he has represented designers in disputes arising out of design-build highway construction projects.

Employers rely on Jeff to defend them against discrimination claims based on sex, age, race, religion and disability; unfair competition claims, wrongful termination, wage/hour litigation and whistleblower litigation. He also provides proactive counseling on employment issues to management teams and human resources departments, and he has extensive experience drafting employment, severance, confidentiality and non-compete agreements for employers.

Jeff's commercial litigation practice includes the representation of public and private companies in the trial and appellate courts, as well as in arbitrations. Jeff has extensive experience representing clients in dealer termination cases in state and federal court, and he has successfully obtained injunctive relief for clients preventing manufacturers from terminating dealer agreements. (*See, Nacco Materials Handling Group, Inc. v. Toyota Materials Handling USA, Inc.*, 366 F.Supp.2d 597 (W.D. Tenn. 2004.)

Additionally, Jeff provides advice and counsel to schools from formation through operations.

EXPERIENCE

- **Industrial development board dismissed from lawsuit brought by taxpayers**

Represented Lakeland Industrial Development Board in a lawsuit brought by taxpayers challenging issuance of \$60 million bonds by the IDB to fund construction of a high school. Obtained dismissal of the suit after the bond issuance had been abandoned due to changed market conditions.

- **Investment fund fights to obtain returns for investors**

Assisted an investment fund in obtaining a return for its investor as part of an interpleader action.

- **Contractor defends against claim of third-party negligence**

Represented an international contractor in a claim by a third party alleging that the contractor was negligent and caused an injury to a worker.

- **Design firm secures early exit from negligent suit related to roadways**

Defended a design firm against negligent design claims related to TDOT roadway projects through the use of statutory immunity. Obtained an early and favorable settlement.

- **Mexican manufacturer seeks to recover contract price for 5,000 metric ton billet delivery**

Represented a large Mexican aluminum billet manufacturer in lawsuit to recover for 5,000 metric tons purchased by processor in Mississippi.

- **Statutory immunity releases design firm in roadway project negligence case**

Defended a design firm appointed to a TDOT roadway project against negligent design claims arising from a fatal multi-vehicle accident in which an entire family was killed. Waller moved to dismiss the claims based on statutory immunity from such claims for design firms on TDOT roadway projects and obtained an early and favorable settlement.

- **General contractor fights \$200 million punitive damages dispute**

Represent a general contractor in a complex contract dispute with subcontractor claiming \$200 million in punitive damages.

EDUCATION

- J.D., The University of Mississippi School of Law, 1993
- B.B.A., University of Mississippi, 1990

COURT ADMISSIONS

- United States Supreme Court
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Courts, All District Courts in Tennessee
- Supreme Court for the State of Tennessee

BAR ADMISSIONS

- Tennessee
- Arkansas

RECOGNITIONS

The Best Lawyers in America® (BL Rankings)

- Commercial Litigation, 2021-2023
- Construction Law, 2021-2023
- Health Care Law, 2023
- Litigation - Labor and Employment, 2023

Memphis Business Quarterly

- Recognized as a "Power Player" in Employment Law every year since 2010

Tennessee Justice Center

- Named Pro Bono Attorney of the Year in 2011 for establishing a partnership between his former law firm, the University of Memphis School of Law, and the Tennessee Justice Center to serve low income families on TennCare

PROFESSIONAL INVOLVEMENT

- Member, American Bar Association Forum on Construction Appellate Practice Committee
Commercial and Business Litigation Committee
- Member, American Health Law Association
- Alumnus, Leadership Memphis Executive Program, Class of 2011-2012
- Former Member, Board of Advisors, Greater Memphis Chamber of Commerce

COMMUNITY INVOLVEMENT

- Lector, St. Michael's Catholic Church
- Former member, Board of Directors, Tennessee Justice Center