

## Brantley Smith

### Associate

[bsmith@foley.com](mailto:bsmith@foley.com)

Dallas

214.999.4294



Brantley Smith is a litigation associate based in Dallas. He is a member of the firm's Business Litigation & Dispute Resolution Practice Group. His practice focuses on a variety of business litigation disputes, including corporate governance, oil and gas, trade secret misappropriation, and business divorce related matters. Brantley has represented plaintiffs and defendants at both trial and appellate levels throughout the country, including in Texas, Florida, California, New York, Pennsylvania, Delaware, and Oklahoma.

Brantley graduated from the University of Texas School of Law in 2018. While in law school, he externed with the Honorable A. Joe Fish, Senior Judge of the United States District Court for the Northern District of Texas.

### Representative Experience

- Obtained complete dismissal of fraud, violations of the Racketeer Influenced and Corrupt Organizations Act, breach of fiduciary duty, amongst other claims under Rule 12(b)(6) in defense of a client accused of “financial terrorism”
- Obtained summary judgment on claims seeking to unwind a foreclosure sale of a commercial office building in Houston, TX
- Representing a receiver against multiple appeals stemming from a receivership action involving the SEC, each affirmed on appeal by the Fifth Circuit
- Representing franchisor against claims of employee misclassification brought by the U.S. Department of Labor
- Obtained complete dismissal of claims challenging a Chapter 11 Plan Confirmation, affirmed on appeal by the Fifth Circuit
- Obtained complete dismissal of breach of contract and tortious interference claims under Rule 12(b)(2)
- Obtained favorable settlement shortly after filing for summary judgment on behalf of an advanced power supplies engineering firm defending against claims for misappropriation of trade secrets

- Obtained summary judgment on breach of contract and declaratory relief claims in a dispute between government contractors
- Representing manufacturing company in an in an earn-out dispute involving claims in excess of US \$17m on the Delaware Court of Chancery's expedited docket

## Affiliations

- Member, State Bar of Texas
- Member, Dallas Bar Association
- Member, Business Litigation Section
- Member, Federal Bar Association
- Member, Dallas Chapter
- Committee, 2023 Northern District of Texas Bench Bar Conference

## Presentations and Publications

- Co-Author, "Understanding Claims of Joint Employment and Employment Misclassification," *Franchising Magazine USA* (2023)
- Contributor, "The Franchise Rule and State Franchise Requirements (TX)," *Thomson Reuters Practical Law Commercial Transactions* (2019, 2020, 2021, 2022)
- Contributor, "State Pre-Sale Franchise Registration and Disclosure Laws Charts: Overview," *Thomson Reuters Practical Law Commercial Transactions* (2021, 2022)
- Co-author, "Tips for Working Remotely as an Associate, Parts 1 & 2," American Bar Association (August 26, 2020)

## Sectors

- [Energy](#)

## Practice Areas

- [Business Litigation & Dispute Resolution](#)
- [Litigation](#)

## Education

- The University of Texas School of Law (J.D., 2018)
  - Staff Editor, *Texas Journal of Oil, Gas, and Energy Law*
- The University of Texas (B.A., 2014)
  - Major, History
  - Major, Government
  - Minor, Business

## Admissions

- Texas State Courts

- U.S. District Court for the Northern, Western, Eastern and Southern District of Texas
- U.S. Court of Appeals for the Fifth Circuit