

Barry A. Smith, Esq. | Shareholder



Los Angeles

P (213) 891-5061

E bsmith@buchalter.com

Bar Admissions:
California
U.S. Tax Court

Areas of Practice

Litigation
Real Estate

Industry Specialties

Alternative Lenders
Fiduciaries, Receivers & Trustees
Financial Institutions Law
Financial Services Regulatory
Agribusiness

Barry A. Smith is a Shareholder and a senior member of the Firm's Litigation Practice Group and Chairman of the Financial Institutions Practice Group. Mr. Smith focuses his practice on representing financial institutions and other business entities, both domestically and internationally. Mr. Smith has extensive experience in business and commercial litigation, creditors' rights, real estate, loan workouts and restructuring, provisional remedies, receiverships, collections, and post-judgment enforcement. He also handles complex defense litigation including tort, contract law, and real estate.

Mr. Smith is a frequent speaker on creditor's rights, enforcement of judgments, prejudgment remedies, workouts and turnarounds, wrongful termination, sexual harassment, business and banking fraud, arbitration, toxic waste, lender liability, legal ethics, probate estates and trusts, and collection strategy and tactics. He speaks at numerous seminars and conferences including the California Independent Bankers, Risk Management Association, Special Asset Managers Association, National Association of Chinese American Bankers, Western Bankers Association, Western Independent Bankers Association, the Los Angeles County Bar Associations, and the Los Angeles Chamber of Commerce.

Mr. Smith is AV Preeminent rated by his peers (5.0/5.0) as being at the highest level of excellence in ethical standards and professional ability. He has also been voted Best of the Best top 1% of America's lawyers, and as America's Most Honored Professional by *The American Registry* since 2017. Every year since 2013, *American Lawyer Media*, in conjunction with *Martindale-Hubbell*, has recognized him as a Southern California Top Rated Lawyer and a Top Rated Lawyer in the areas of Bank & Finance and Commercial Litigation, which appeared in *Corporate Counsel* and the *Los Angeles Times*. He is a member of the Bank Operations Counsel Association, Financial Lawyers Conference, Western Bankers Association, American Trial Lawyers Association, Los Angeles Business Trial Lawyers Association, California Bank Counsel,

Barry A. Smith, Esq. | Shareholder

the Los Angeles County Bar Association's Commercial Law and Bankruptcy Section, and the Provisional and Post-Judgment Section. He is also a member of the International Bankers Association, the Independent Bankers of California, National Association of Chinese-American Bankers, Risk Management Association, Credit Managers Association, and the Southern California Mortgage Association.

Mr. Smith is a former Professor of Law, teaching courses on trial tactics and litigation techniques. He is named one of "Who's Who in Banking and Finance" by the *Los Angeles Business Journal*.

Presentations

- Speaker, "Anatomy of a Workout," Western Bankers Association 2019 Lenders and Chief Credit Officers Annual Conference in Dana Point CA
- Speaker, "Prejudgment and Post Judgment Remedies and Alternatives," Special Assets Management Association Conference in Ojai, CA
- Speaker, "Early Warning Signs of a Troubled Loan," East West Bank, Los Angeles Office
- Speaker, "Anatomy of a Workout: Is There A New Playbook?" Commercial Finance Conference of California; Special Assets Management Association
- Speaker, "The Commercial Real Estate Loan Workout – Strategies for Minimizing Losses," REOMAC Commercial Real Estate Summit
- Speaker, "Post-Judgment Remedies and Alternatives," Los Angeles Bar Inn of Court
- Speaker, "Thinking Outside the Box – Effective Recovery Tactics," Special Asset Management Conference in Ojai, CA
- Speaker, "The Real World: Case History of Resolutions by Portfolio Lenders," Trigild Lender Conference in San Diego, CA
- Speaker, "The Most Interesting Loan I Ever Litigated," Risk Management Association Luncheon at the Palm Restaurant in Los Angeles
- Speaker, "Prejudgment and Postjudgment Remedies and Alternatives," Special Assets Management Association's Annual Conference in Santa Barbara, CA
- Speaker, "Hot Topics for Special Assets," Special Asset Management Association Annual Convention in Ojai, CA

Barry A. Smith, Esq. | Shareholder

- Speaker, “The C&I Loan- Strategies and Alternatives When the Other Shoe Drops,” Western Independent Bankers Annual Conference in Scottsdale, AZ
- Co-Speaker, “In-Depth Review of a Guarantor’s Personal Financial Condition,” Buchalter Nemer Teleseminar
- Moderator, “How to Prevent Fraud,” Special Assest Management Association
- Co-speaker, “Pre and Post Judgment Alternatives and Remedies,” California Credit Union League
- Speaker, “Leading the Industry: Best Practices in Community Banking,” SAMA
- Speaker, “When Good Loans Go Bad,” RMA
- Speaker, “The Ten Do’s and Don’t’s in Commercial Lending,” California Independent Banker
- Speaker, “Business Loan Hot Topics,” the Credit Union Executive Society
- Panelist, “The Non-Performing CRE Loan,” the Special Assets Management Association Annual Convention in Carlsbad, CA
- Speaker, “Mortgage Fraud,” Credit Union League LA Chapter in Monterey Park

Presentations

- Speaker, The Workout and/or Settlement Agreement-Twenty Five Must Have but Often Forgotten Provisions, Western Bankers Association 2022 Annual Conference - April 26th, 2022
- Speaker, The Workout, Modification, Forbearance and/or Settlement Agreement – 28 must have but often forgotten provisions, Risk Management Association Webinar - April 7th, 2022
- Speaker, The Workout and/or Settlement Agreement-Twenty Five Must Have but Often Forgotten Provisions, Western Bankers Association 2021 Lenders & Chief Credit Officers Conference - November 16th, 2021
- Speaker, Anatomy of a Workout, IMN's Bank Special Assets & Credit Officer’s Forum (West) - July 27th, 2021
- Panelist, A Brave New World – New Laws That Change the Playing Field for Real Estate Lenders, Western Bankers Association 2021 Bank Counsel Virtual Seminar - May 27th, 2021

Barry A. Smith, Esq. | Shareholder

- Panelist, Barry Smith and Oren Bitan, Panelists at Risk Management Association Webinar, Inland Empire Risk Management Association Webinar - June 18th, 2020
- Speaker, My Most Interesting Case, Risk Management Association Conference - October 30th, 2019
- Speaker, Anatomy of a Workout, Western Bankers Association 2019 Lenders and Chief Credit Officers Annual Conference - October 7th, 2019

Court Admissions

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California
- Supreme Court of the United States
- U.S. Tax Court