



Michael L. Smith

Associate

☎ 310.556.7821

✉ MSmith@GlaserWeil.com

Mr. Smith's practice includes commercial litigation, including cases that involve claims of breach of contract, breach of fiduciary duty, and fraud. Mr. Smith also has experience defending against lawsuits alleging violations of constitutional rights under 42 U.S.C. § 1983. Other matters that Mr. Smith has litigated include property disputes involving quiet title, civil assault and battery, civil harassment, and restraining order litigation.

Mr. Smith's prior experience includes defending insurance agents, financial advisors and benefit plan administrators in professional liability litigation against claims of professional negligence, fraud, breach of contract and other causes of action. His experience extends into general liability, landlord-tenant, insurance defense and personal injury law. He also previously worked at the Orange County District Attorney's office where he tried cases involving driving under the influence of alcohol, resisting arrest and assault on a peace officer.

PRACTICE AREAS

Litigation

EDUCATION

University of California, Los Angeles School of Law, J.D., *UCLA Law Review*, Articles Editor; *Pacific Basin Law Journal*, Articles Editor; UCLA Moot Court Program, Board

University of Iowa, B.S., Political Science, High Honors; B.A., Philosophy, High Honors

STATE BAR ADMISSIONS

California

REPRESENTATIVE MATTERS

Represented major motion picture studio in successfully prosecuting trademark infringement and dilution claims.

Defended Fortune 500 company in nationwide class action lawsuit alleging fraudulent and unlawful actions under California's Unfair Competition Act, False Advertising Law and Consumer Legal Remedies Act.

Defended a leading professional services corporation from a negligence claim brought by a national bank. After a series of motions to dismiss and multiple pleading attempts by the plaintiff, the case was dismissed with prejudice and judgment was entered in favor of the defendant by the U.S. District Court for the Central District of California in 2013.

Successfully represented a state senate candidate in a First Amendment challenge to a major city's political signage law, compelling that city to revise its ordinance.

PUBLICATIONS

"Are Customized Arbitration Provisions the Answer?," *Daily Journal*, September 30, 2019

"Prior Sexual Misconduct Evidence in State Courts: Constitutional and Common Law Challenges," *52 American Criminal Law Review* 321 (2015)

"Regulating Law Enforcement's Use of Drones: The Need for State Legislation," *53 Harvard Journal on Legislation* 423 (2015)

"Arbitration by Combat," co-authored with Raj Shah (Peer Reviewed), *20 Media & Arts Law Review* 164 (2015)

"The Second Amendment Implications of Regulating 3D Printed Firearms," *31 Syracuse Journal of Science & Technology Law* 60 (2015)

"Search Engine Liability for Autocomplete Defamation: Combating the Power of Suggestion," *2013 Journal of Law, Technology & Policy* 313 (2013)

SPEAKING ENGAGEMENT

"Michael Smith on Shooting Fish," *Ipse Dixit*, 2019