SpencerFane®

Blake D. Smith

Partner

Contact

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Overview

Blake's practice focuses on securities, corporate governance, restrictive covenants, and intellectual property. In those areas, he represents founders and executives, early-stage or established companies, registered investment advisors, private funds, trustees, and lenders.

While the bulk of his practice is litigation, he also advises on transactional and regulatory matters that fall within these areas of experience.

Given his matters often require extensive pre-dispute investigation, he helps structure and commence internal investigations on behalf of corporate clients to assess the cost and benefits of bringing or resolving claims.

Blake has developed deep relationships with many attorneys at the firm in different practice areas, industries, and regions – if he isn't the right attorney for your matter, he can find you the attorney who is.

Education

- University of Missouri - Kansas City School of Law (J.D.), *magna cum laude*
- University of Missouri – Columbia (B.S.B.A.)

Bar Admissions

- Missouri

Court Admissions

- U.S. District Court for the Western District of Missouri
- U.S. District Court for the Eastern District of Missouri

Distinctions

- *Best Lawyers in America,* Ones to Watch, 2024-2027
- *Missouri and Kansas Super Lawyers*, Rising Star, 2025
- Securities Law Certificate, eCornell, Cornell University Law School
- Order of the Barristers
- American College of Trial Lawyers Medal for Excellence in Advocacy

Memberships

- Ross T. Roberts Trial Academy, Former Committee Chair
- Kansas City Metropolitan Bar Association

Related Experience

Court or Arbitration

- Retained 20 days before trial, Blake defended his clients against claims of fraud and violations of the Missouri Merchandising Practices Act. Plaintiff sought over $2,000,000 in damages. The jury returned a full verdict for the defense.
- Briefed and argued a case of first impression before the Missouri Court of Appeals, defending a judgment in client's favor concerning an alleged *per se* antitrust violation. The Missouri Court of Appeals affirmed this judgment in *MPHlex, LLC v. Sovereign Int'l, Inc.*, No. WD 86444, 2024 WL 1724105, at *1 (Mo. Ct. App. Apr. 23, 2024).
- Successfully defended clients against claims of non-compete violations, unfair competition, computer tampering, trade secret violations, conspiracy, and others. Plaintiff sought nearly $20,000,000 in damages. The jury returned a verdict for the defense on every major claim, awarding the plaintiff only a nominal amount on an ancillary claim for $11,000. The Missouri Court of Appeals affirmed this judgment in *Shuttlewagon, Inc. v. Higgins*, 628 S.W.3d 185 (Mo. Ct. App. 2021).
- Obtained a confidential damages award on behalf of a claimant against respondents for negligence, negligent misrepresentation, and securities fraud in arbitration proceeding.
- Successfully opposed temporary restraining order seeking to restrain the operation of client's business.
- Successfully opposed a preliminary injunction that sought to restrain the administration of a multi-million-dollar trust.
- Briefed, argued, and won summary judgment in federal court on behalf of insurer. The plaintiff asserted breach of the insurance agreement.

Pre-trial Resolutions

- Defends owners and businesses against security fraud claims, achieving dismissals and favorable settlements.
- Resolved multiple owner and shareholder disputes, resulting in negotiated separations of the business.
- Resolved dispute between borrower and lender in a commercial mortgage-backed security dispute.
- Resolved post-closing indemnification issues concerning alleged undisclosed expenses.
- Negotiated a confidential pre-suit settlement on behalf of a former professional athlete whose money had been stolen in a fraudulent investment scheme. The perpetrator was eventually sentenced to over 16 years in prison for wire fraud.
- Helped resolve claims related to a mass-casualty event involving a tourism boat.
- Helped many clients resolve shareholder disputes, avoiding the need for litigation.