SpencerFane®

Jason C. Smith

Partner

Contact

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Overview

Jason is a trial lawyer who represents clients from individuals to Fortune 500 companies in business matters and litigation throughout the country. Jason has defended class action cases for clients such as retailers, banks, and universities. His litigation practice has encompassed complex contract and tort claims in health care, retail, construction, banking, manufacturing, higher education, and other industries.

Jason has extensive experience representing clients in construction matters, including contract review and negotiation, payment disputes, claims of defective design and defective workmanship, prevailing wage matters, and general claims resolution. He has been a featured speaker on construction and real estate topics throughout Missouri.

Jason has tried numerous cases in state and federal court and has represented clients at the appellate level before the Missouri Court of Appeals, Missouri Supreme Court, and U.S. Court of Appeals for the Sixth, Eighth, and Ninth Circuits.

Education

- Washington University School of Law, 2005 (J.D.), *Order of the Coif, Editor Washington University Law Quarterly*
- Maryville University, 2002 (B.A., B.S.), *cum laude*

Bar Admissions

- Missouri, 2005
- Arkansas, 2006

Court Admissions

- U.S. District Court for the Western District of Missouri, 2005
- U.S. Court of Appeals for the Eighth Circuit, 2005
- Missouri Supreme Court, 2005

- U.S. District for the Eastern District of Arkansas, 2007
- U.S. District Court for the Western District of Arkansas, 2007
- U.S. Bankruptcy Court for the Eastern and Western Districts of Arkansas, 2007
- U.S. Court of Appeals for the Sixth Circuit, 2008
- U.S. Court of Appeals for the Ninth Circuit, 2012

Community Involvement

- Ozark Greenways, Inc., Board of Directors, 2007-2010
- Springfield K-Life, Board of Directors, 2010-2012
- Lost and Found Grief Center, Board of Directors, 2016-present

Distinctions

- *Best Lawyers in America*, 2022-2027
  - Lawyer of the Year, Real Estate Law, 2027
- *Missouri Lawyers Media*, Missouri Lawyer Awards, Influential Lawyer, 2026
  - Up & Coming, 2022
- *Springfield Business Journal,* Trusted Adviser Award, 2023
  - Class of 40 Under 40, 2016

Memberships

- American Bar Association
- The Missouri Bar
- Springfield Metropolitan Bar Association, Board of Directors
- Construction Lawyers Society of America, Fellow
- Trial Law Institute
- Diversity Law Institute

Presentations and Publications

- "The Rise of Large Accidents in Construction Verdicts," North American Construction Summit, January 2024
- "Design-Build Contracting Here To Stay, Know the Risks," *Springfield Business Journal*, April 2014
- "'Pay-If Paid' Clauses Good Measure for General Contractors," *Springfield Business Journal*, June 2013
- "Springfield Area a Hotbed for ADA Litigation," *Springfield Business Journal*, January 2013
- "Attorneys Mark Role, Law Day's Traditions," *Springfield News-Leader*, May 2010

Related Experience

- Represented a general contractor in federal court in Washington in case alleging violations of Washington's "bid shopping" statute and claiming damages of more than $1 million. Obtained summary judgment for contractor, which was affirmed by the U.S. Court of Appeals, Ninth Circuit. *ETCO Services, LLC v. Killian Construction*.
- Defeated class certification on behalf of a university in a fraud class action seeking tens of millions of dollars in damages. *Ramthun v. Bryan Career College, Inc.*

- Obtained defense judgment at trial for developer of $400 million mixed-use development in lawsuit seeking to impose various mechanic's liens.
- Obtained dismissal of claims seeking more than $10 million in damages against a Fortune 500 retailer.
- Successfully defended property owners at trial in federal court in lawsuit seeking to set aside their ownership of large tract of real estate.
- Obtained dismissal of $25 million fraud case against title company, which was affirmed by Missouri Court of Appeals. *Branson Hills Associates LP. v. First American Title Insurance Co*.
- Defended multiple property owners in federal court cases alleging violations of the Americans with Disabilities Act, including obtaining dismissal of several cases. *Steelman v. Rib Crib No. 18*.
- Defended manufacturer in jury trial alleging premises liability and obtained complete defense verdict.
- Secured summary judgment for bank in a malicious prosecution action.
- Obtained summary judgment for bank in conspiracy action.
- Represented multiple general contractors, subcontractors and suppliers in contract and litigation matters throughout the United States.
- Resolved numerous prevailing wage claims against general contractor arising out of public works projects.
- Successfully defended a municipality in jury trial alleging civil rights violations.
- Achieved favorable results in representing elected official at trial in lawsuit seeking to enjoin recall election.
- Represented large, national bank in class action lawsuit involving overdraft fees.
- Represented large, national retailer in class action lawsuit involving document fees.
- Secured defense judgment at trial for developer of ethanol plant in a lawsuit seeking to enjoin construction of plant, which was affirmed by the Missouri Court of Appeals.
- Successfully represented university in case involving manner in which to distribute trust funds See In re *Gene Wild Ins. Trust*.