



Dylan Smith

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Areas of Practice

Antitrust and Trade Regulation | Appellate Practice | Litigation/Trial Practice | Securities Enforcement | Securities Litigation | White Collar Law

Dylan Smith is a Partner of the Litigation Practice of Smith, Gambrell & Russell, LLP. Mr. Smith was a Partner at Freeborn & Peters, which combined with SGR in 2023.

Mr. Smith's practice focuses on complex commercial litigation and white-collar criminal defense.

As an experienced commercial litigator and former federal prosecutor, Mr. Smith thrives in the courtroom, but he also understands that litigation is a means, not an end in itself. Mr. Smith prides himself on delivering honest analysis, creative solutions, and zealous advocacy in pursuit of the client's objectives. His practice encompasses a wide range of business disputes and government investigations, including matters involving antitrust, civil RICO, trade secrets, and D&O claims.

Prior to joining the Firm, Mr. Smith served as an Assistant United States Attorney in Chicago, where he prosecuted and tried criminal cases in federal district court, including cases involving white collar crimes such as financial institution fraud, wire and mail fraud, healthcare fraud, identity theft, and tax fraud. As an Assistant U.S. Attorney, Mr. Smith also argued a number of appeals in the U.S. Court of Appeals for the Seventh Circuit.

Mr. Smith began his legal career as a law clerk to the Hon. Joel M. Flaum of the U.S. Court of Appeals for the Seventh Circuit.

Mr. Smith earned his B.A. from Yale University, *magna cum laude*, and his J.D. from Yale Law School.

Continued

Representative Experience

- Successfully defended corporate executive in bid-rigging investigation by the U.S. Department of Justice Antitrust Division. Obtained dismissal of indictment charging client with money-laundering conspiracy.
- Representing current and former employees of Fortune 500 company in SEC investigation.
- Represented state senator in public corruption investigation.
- On behalf of chemical manufacturer in multidistrict antitrust class action, won summary judgment dismissing all *In re Sulfuric Acid Antitrust Litigation*, 743 F. Supp. 2d 827 (N.D. Ill. 2010).
- In shareholder dispute, obtained dismissal of derivative and direct claims against directors, including federal securities-law claims under the Williams Act. Won award of sanctions against plaintiffs' attorneys under Private Securities Litigation Reform Act (PSLRA). *Gorman, et v Coogan, et al.*, 2004 WL 2713095 (D. Me. 2004).
- Represented individual defendant charged with violating export control laws through export and import of defense articles to and from China. Obtained acquittal on top count and probationary sentence following three-week jury trial in federal court.
- On behalf of pharmaceutical company, conducted internal investigation involving corporate ethics and regulatory compliance issues.
- Represented public pension plan participants in suits successfully challenging benefit reductions under Illinois constitution.
- Successfully represented auto dealership holding company in litigation relating to buy/sell agreement for dealership assets.

Admissions

Illinois

New York

Maine

United States District Court for the Northern District of Illinois (General Bar and Trial Bar)

United States District Court for the Southern and Eastern Districts of New York

United States District Court for the District of Maine

United States Court of Appeals for the First and Seventh Circuits

Memberships

Board of Directors, Federal Bar Association, Chicago Chapter

Continued

Publications

- Moderator, Federal Bar Association, Chicago Chapter, "*Current Issues and Trends in Federal Criminal Law*" Virtual Seminar (December 2020).
- Author, "General Motors RICO Ruling Is Case Study In Proximate Cause," *Law360*, (July 27, 2020).
- Author, "The 1st COVID-19 Prosecutions Under Defense Production Act," *Law360* (May 6, 2020).
- Featured Faculty, Today's General Counsel, "*The Exchange*" *Compliance and Ethics Forum*, Chicago (October 2016).
- Co-Author, "When Internal Compliance Monitoring Stumbles, Directors and Officers May Face Risk," *Westlaw Journal Antitrust* (May 2015).