

Brantley Smith

Associate

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Brantley Smith is a litigation associate based in Dallas and a member of Foley's Commercial Litigation Practice Group. He represents companies, boards, and executives in high-stakes business disputes nationwide, with an emphasis on director and officer fiduciary duty disputes, corporate governance, and shareholder derivative suits. In addition to corporate governance actions, Brantley regularly handles an array of business cases, including energy litigation, trust matters, intellectual property litigation, and employment-related disputes.

Brantley has successfully represented plaintiffs and defendants at both the trial and appellate levels across the country, including in Texas state and federal courts and in the Delaware Court of Chancery. He is a member of Foley's Texas Corporate Governance Team, where he collaborates with cross-disciplinary colleagues to guide clients through fast-moving developments in Texas corporate law.

While in law school, Brantley served as a judicial intern to the Honorable A. Joe Fish, Senior Judge of the U.S. District Court for the Northern District of Texas.

Representative Experience

- Obtained a multimillion-dollar judgment following a week-long trial against a publicly traded midstream company in a case involving the breach of a gas processing contract.
- Represented a receiver against multiple appeals stemming from a receivership action involving the SEC, each affirmed on appeal by the Fifth Circuit.
- Represented manufacturing company in an earn-out dispute involving claims in excess of \$17 million on the Delaware Court of Chancery's expedited docket, resulting in a favorable settlement for the client.
- Represented drilling company in a bet-the-business corporate governance dispute, resulting in a judgment in favor of the client after a five-day bench trial.

- Represented franchisor against claims of employee misclassification brought by the U.S. Department of Labor.
- Obtained complete dismissal of fraud, violations of the Racketeer Influenced and Corrupt Organizations Act (“RICO”), breach of fiduciary duty, amongst other claims under Rule 12(b)(6) in defense of a client accused of “financial terrorism.”
- Represented an advanced power supplies engineering firm defending against claims for misappropriation of trade secrets in the Northern District of California, resulting in a favorable settlement shortly after filing for summary judgment on behalf of the client.
- Obtained summary judgment on breach of contract and declaratory relief claims in a dispute between government contractors in the District Court of Cameron County, Texas, 357th Judicial District.
- Obtained summary judgment in the District Court of Harris County on claims seeking to unwind a foreclosure sale of a commercial office building in Houston, TX.
- Represented Chapter 11 debtor in litigation against a foreign creditor concerning international service obligations under the Hague Service Convention, resulting in victories at both the trial and appellate levels. *Jinil Steel Company, Limited v. Valuepart, Incorporated (In re Valuepart, Incorporated)*, No. 19-10461 (5th Cir. March 20, 2020), cert. denied (U.S. Sept. 23, 2020) (No. 20-175).

Affiliations

- State Bar of Texas
 - Member
- Dallas Bar Association
 - Member, Business Litigation Section
- Federal Bar Association
 - Member, Dallas Chapter
 - Committee, 2023 Northern District of Texas Bench Bar Conference
 - Committee, 2024 Northern District of Texas Bench Bar Conference

Presentations and Publications

- Co-Author, “Texas Supreme Court Clarifies Limits of Shareholder Capacity in Fiduciary Duty Claims Against Corporate Advisors,” *The National Law Review* (2025)
- Co-Author, “Texas Leads the Way – SEC Chairman Highlights Texas’s New Shareholder proposal Thresholds and Corporate Governance Reforms,” *The National Law Review* (2025)
- Co-Author, “Texas Legislature Strengthens Business Court with Expanded Jurisdiction and Operational Reforms,” *The National Law Review* (2025)
- Co-Author, “NLRB’s New Rule Sings ‘Come Together, Right Now,’” *The National Law Review* (2025)
- Contributor, “Audit Committee Deskbook,” *Practicing Law Institute* (2025)
- Co-Author, “NLRB Issues Final Rule on Joint-Employer Status,” *The National Law Review* (2023)
- Co-Author, “Understanding Claims of Joint Employment and Employment Misclassification,” *Franchising Magazine USA* (2023)

- Speaker, "Latest Developments in Joint Employer and Misclassification Claims," Foley & Lardner LLP Law of Product Distribution Franchise Seminars (October 2023)
- Contributor, "The Franchise Rule and State Franchise Requirements (TX)," Thomson Reuters Practical Law Commercial Transactions (2019–2025)
- Contributor, "State Pre-Sale Franchise Registration and Disclosure Laws Charts: Overview," Thomson Reuters Practical Law Commercial Transactions (2021–2025)
- Co-author, "Tips for Working Remotely as an Associate, Parts 1 & 2," American Bar Association (August 26, 2020)

Sectors

- [Energy & Infrastructure](#)
- [Oil & Gas](#)
- [Power & Renewables](#)

Practice Areas

- [Commercial Litigation](#)
- [Distribution & Franchise](#)
- [Litigation](#)

Education

- University of Texas School of Law, J.D., 2018
 - *The Texas Journal of Oil, Gas, and Energy Law*
 - Legal Intern, Senior Judge A. Joe Fish, The United States District Court for the Northern District of Texas
- The University of Texas at Austin, B.A., *with honors*, 2014

Admissions

- Texas State Courts
- U.S. District Court for the Northern, Western, Eastern and Southern District of Texas
- U.S. Court of Appeals for the Fifth Circuit