W. Alex Smith

Partner

Atlanta

alex.smith@troutman.com

D 404.885.3685



Alex is a partner in the firm's business litigation practice. He represents and advises clients on a wide variety of complex civil litigation matters, including contract disputes, consumer class actions, and business torts. Alex also has significant experience in defending attorneys and law firms against claims of legal malpractice.

OVERVIEW

Alex counsels and represents clients in connection with a diverse array of litigation matters in federal and state courts at the trial and appellate levels. He has garnered substantial experience in building cases from the ground up, thoroughly exploring all potential procedural and substantive avenues of success for his clients prior to and during litigation. Alex has cultivated his practice through hands-on advocacy, having held significant roles as an advocate in federal, state, and arbitral proceedings. He has argued before the U.S. Courts of Appeals for the Second and Eleventh Circuits, the Georgia Court of Appeals, and in numerous federal and state trial courts, and he has examined witnesses during a multiday federal jury trial and in arbitral proceedings.

Alex provides a unique appellate perspective to assist in securing a favorable outcome for his clients. He served as a law clerk to the Honorable Gerald Bard Tjoflat of the U.S. Court of Appeals for the Eleventh Circuit and has significant experience practicing before federal and state appellate courts. For example, Alex assisted in securing emergency injunctive relief from the U.S. Supreme Court in a civil rights decision that jurists and legal scholars have described as a "watershed decision," "a seismic shift in Free Exercise law," and "the fountainhead of a massive shift in how the majority of the Supreme Court approaches religious liberty, specifically — and government regulation, in general."

In his pro bono work, Alex represents indigent parties in pursuing civil rights claims and assists the Georgia Judicial Qualifications Commission in judicial disciplinary proceedings.

REPRESENTATIVE MATTERS

- Represented synagogues in New York federal court by challenging discriminatory restrictions on religious practice, successfully obtaining emergency injunctive relief pending appeal from the U.S. Supreme Court, *Agudath Israel of Am. v. Cuomo*, 141 S. Ct. 889 (2020), preliminary injunctive relief from the U.S. Court of Appeals for the Second Circuit, *Agudath Israel of Am. v. Cuomo*, 983 F.3d 620 (2d Cir. 2020), and a permanent injunction on all requested relief, *Agudath Israel of Am. v. Cuomo*, 2021 U.S. Dist. LEXIS 41176 (E.D.N.Y. Feb. 8, 2021), as well as recovery of attorneys' fees and expenses for his clients.
- Secured a preliminary injunction barring former employees from soliciting customers and using trade secrets,

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leading to a negotiated resolution of the case. *Deluxe Corp. v. Roost Holding Co., LLC*, 2025 U.S. Dist. LEXIS 269235 (N.D. Ga. Nov. 20, 2025).

- Served as counsel to a leading canned food manufacturer in prosecuting breach of warranty and product liability claims against a can manufacturer in Texas federal court past summary judgment before resolving the parties' claims prior to trial. *Crider, Inc. v. Silgan Containers LLC*, 2023 U.S. Dist. LEXIS 18237 (N.D. Tex. Jan. 13, 2023).
- Obtained dismissal of a putative class action involving claims of false advertising and deceptive acts in New York federal court, as affirmed by the U.S. Court of Appeals for the Second Circuit. *La Vigne v. Costco Wholesale Corp.*, 284 F. Supp. 3d 496 (S.D.N.Y. 2018); *aff'd*, 772 F. App'x 4 (2d Cir. 2019).
- Secured dismissal of a putative class action in California federal court involving alleged false advertising claims concerning food packaging. *Bhotiwihok v. Fairlife*, LLC, 2026 U.S. Dist. LEXIS 1840 (Jan. 26, 2026).
- Secured summary judgment in favor of a utility company in a putative class action in Georgia state court, as affirmed by the Georgia Court of Appeals, *Cazier v. Ga. Power Co*., 362 Ga. App. 112 (2021), and successfully obtained denial of certiorari by the Georgia Supreme Court, *Cazier v. Ga. Power Co.*, 315 Ga. 587 (2023).
- Defended a board member of a public company against allegations of breach of fiduciary duty and insider trading in New York federal and state courts, including by securing dismissal of a putative securities class action. *In re Eastman Kodak Co. Sec. Litig.*, 2022 U.S. Dist. LEXIS 174437 (W.D.N.Y. Sept. 27, 2022).
- Served as counsel to a national loan provider in California federal court against a putative class action involving unfair competition claims, obtaining a favorable settlement on an individual basis. *Delisle v. Speedy Cash*, 818 F. App'x 608 (9th Cir. 2020).
- Served as appellate counsel to pharmaceutical distributors in the Georgia Supreme Court in successfully protecting a favorable jury verdict. *Poppell v. Cardinal Health, Inc.*, 319 Ga. 670 (2024).
- Served as pro bono appellate counsel in arguing before the U.S. Court of Appeals for the Eleventh Circuit and securing a 3-0 reversal in part in favor for a client, securing a trial on the client's claim for excessive force. *Wade v. Daniels*, 36 F.4th 1318 (11th Cir. 2022).
- Counseled a municipality in navigating issues relating to an institutional reform consent decree.
- Represented law firms in multiple actions in Georgia state court against allegations of legal malpractice, breach of contract, and/or breach of fiduciary duty.
- Defended a regional health care provider in Georgia federal court arising out of a contract dispute involving the implementation of health care software.

AWARDS

- *Best Lawyers: Ones to Watch*: Appellate Practice (2024-2025); Commercial Litigation (2021-2025)

TOP AREAS OF FOCUS

- Appellate + Supreme Court
- Business Litigation

ALL AREAS OF FOCUS

- Appellate + Supreme Court
- Business Litigation
- Class Action
- Financial Services
- Litigation + Trial

PROFESSIONAL EXPERIENCE

- Clarke-Carley Inn of Court, Barrister

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Georgia School of Law, J.D., *magna cum laude*, 2015
- University of Georgia, B.A., 2012

BAR ADMISSIONS

- Georgia

COURT ADMISSIONS

- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- Georgia State Courts
- U.S. District Court, Northern District of Georgia

CLERKSHIPS

- Hon. Gerald Bard Tjoflat, U.S. Court of Appeals, Eleventh Circuit, 2015-2016

PUBLICATIONS

- Co-author, "Work Rules Can't Override Faith: The United States Supreme Court Should Grant Protection to Employees' Religious Preferences," *New York Daily News*, April 18, 2023.
- Co-author, "At Home in Georgia: The Hidden Danger of Registering to do Business in Georgia," *Georgia State University Law Review*, December 1, 2019.

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