

Trey Smith

Associate

New York Richmond

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OVERVIEW

Trey focuses his practice on representing and advising regulated utilities before state public utility commissions. He routinely helps clients obtain certificates of public convenience and necessity for transmission infrastructure. In this role, Trey works with his clients' subject-matter experts to manage administrative proceedings, including by preparing initial filings; responding to discovery requests; drafting rebuttal testimony; and litigating any disputed issues.

In addition to his regulated utility practice, Trey regularly helps financial institutions, pharmaceutical companies, and other consumer-facing businesses navigate regulatory investigations and resulting litigation. He has experience litigating State UDAAP statutes, the Consumer Financial Protection Act, the FTC Act, the Truth in Lending Act, and other state and federal consumer protection laws.

Trey also assists clients with a variety of government contracts issues, including contract performance, administration, protests, claims and claim appeals; and prime/sub disputes in federal and state court. He also often assists businesses with navigating the Davis-Bacon Act.

** Licensed to practice in Virginia. Not admitted in New York.*

REPRESENTATIVE MATTERS

- Represents a major electric utility applicant in numerous electric transmission infrastructure proceedings to construct or rebuild transmission lines with voltages of 500 kV and 230kV.
- Represents a major electric utility in an administrative dispute with a water utility concerning the routing of transmission lines through the water utility's land.
- Represents one of the largest privately held transmission systems in the U.S. in negotiations with a federal agency to secure grant funding and resolve utility's Davis-Bacon Act compliance issues.
- Represents a consumer-facing solar lender and servicer in connection with an enforcement action brought by multiple state AGs in federal court under the Consumer Financial Protection Act, Truth In Lending Act, State UDAP statutes, and State Home Solicitation Act statutes.
- Represents a tribal lender in an investigation by a State Attorney General alleging violation of Illinois state laws.
- Secured a writ of certiorari from the United States Supreme Court and completed merits briefing in *Rudisill v.*

McDonough. Obtained a 7-2 victory, ensuring more than a million veterans would be eligible for educational benefits previously denied by the VA.

- Secured a favorable ruling in a high-profile class action lawsuit against a national bank related to CARES Act mortgage forbearance.
- Represented a financial institution in a class action lawsuit relating to the enforcement of an arbitration agreement and class action waiver in a consumer finance dispute.
- Represented a nationwide lender in an investigation by a State Attorney General alleging possible violations of state lending and consumer protection laws.

TOP AREAS OF FOCUS

- Digital Assets + Blockchain
- Energy
- Financial Services
- Regulatory Investigations, Strategy + Enforcement

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- Energy
- Financial Services
- Regulatory Investigations, Strategy + Enforcement
- State Attorneys General

EDUCATION AND CERTIFICATIONS

EDUCATION

- Washington and Lee University School of Law, J.D., 2022, Moot Court Executive Board; Black Law Students Association; Charles V. Loughlin Award
- University of Virginia, B.A., *high distinction*, 2018

BAR ADMISSIONS

- Virginia

PUBLICATIONS

- Co-author, "Government Contractors and the Fall 2025 Government Shutdown: Risk Management and Best Practices," *Troutman Pepper Locke*, October 2, 2025.
- Co-author, "What to Expect When the New CMMC Final Rule Hits Defense Acquisitions on November 10," *Troutman Pepper Locke*, October 1, 2025.
- Co-author, "2025 Mid-Year Review: State AGs in a New Era," *Troutman Pepper Locke*, July 25, 2025.
- Co-author, "Navigating Change: First 100 Days Under the Trump Administration," *2025 Digital Asset Developments*, May 28, 2025.
- Co-author, "2024 State AG Year in Review," *Troutman Pepper Locke*, January 30, 2025.
- Co-author, "Consumer Protection: Understanding Enforcement Actions Brought by State Attorneys General,"

American Bar Association, 2024.

- Co-author, "2024 State AG Election Re-Cap: Where Things Stand the Day after Election Day," *Troutman Pepper*, November 6, 2024.
- Co-author, "Breaking Down CFTC's Novel Theory Driving Uniswap Action," *Law360*, October 8, 2024.
- Co-author, "Contractor's Guide to the Revised Davis-Bacon Act Regulations," *Surety Bond Quarterly*, October 2024.
- Co-author, "Where the F(BO) Is the Money? Part 1 – Synapse's Clarion Call for Standards," *Troutman Pepper Financial Services*, September 10, 2024.
- Podcast, "Navigating the Regulatory Waters: The SEC's Wells Notice to Uniswap and Its Impact on DeFi," *The Crypto Exchange*, May 22, 2024.
- Podcast, "Will Resiliency Carry the Digital Asset Sector Through 2024: Federal Legislative Developments and OFAC Consent Orders," *The Crypto Exchange*, May 9, 2024.
- Podcast, "Will Resiliency Carry the Digital Asset Sector Through 2024: State-Level Developments," *The Crypto Exchange*, May 7, 2024.
- Podcast, "Will Resiliency Carry the Digital Asset Sector Through 2024: The CFPB and FTC Take a Stance," *The Crypto Exchange*, May 2, 2024.
- Podcast, "Will Resiliency Carry the Digital Asset Sector Through 2024: Navigating the 2023 Regulatory Landscape," *The Crypto Exchange*, April 30, 2024.
- Co-author, "Will Resiliency Carry the Digital Asset Sector Through 2024?," *Troutman Pepper*, April 23, 2024.
- Co-author, "2023 Privacy Year in Review," *Troutman Pepper*, February 1, 2024.
- Co-author, "Troutman Pepper Publishes 2023 Consumer Financial Services Year in Review and A Look Ahead," *Troutman Pepper*, February 1, 2024.
- Co-author, "2023 State AG Year in Review," *Troutman Pepper*, January 29, 2024.
- Co-author, "Advancing Nuclear Energy: The Role of Advanced Technologies in a Changing Political and Regulatory Landscape," *Infrastructure*, Volume 62, Number 4, Summer 2023.
- Co-author, "Addressing Competition Concerns in the Developing Generative AI Industry: Key Insights From the FTC's Analysis," *Westlaw Today*, September 18, 2023.
- Co-author, "Capital Markets, Professional Perspective – Proposed NY Digital Asset Framework Imposes Consumer Protection-Focused Measures," *Bloomberg Law*, August 2023.
- Co-author, "Proposed SEC Rule Would Place Cryptocurrency Trading Platforms Under SEC Jurisdiction," *Troutman Pepper*, May 4, 2023.
- Podcast, "AI: Overview and Current Regulatory Landscape (Part One)," *Regulatory Oversight*, April 5, 2023.
- Co-author, "It's Not Just the Feds: State AGs Are Reaching Through Your Corporation," *Corporate Compliance Insights*, April 5, 2023.
- Co-author, "2022 Regulatory Privacy Year in Review," *Troutman Pepper*, February 2, 2023.
- Co-author, "Key Developments From State Attorneys General in 2022," *Law360*, December 22, 2022.

MEDIA COMMENTARY

- Quoted, "From Being Called to the Bar to Preparing a Supreme Court Case, William 'Trey' Smith III Details Historic Moment," *Antigua Observer*, November 13, 2023.
- Quoted, "William 'Trey' Smith III is First Antigua and Barbuda Citizen to be Part of Legal Team Appearing Before the US Supreme Court," *Antigua Tribune*, November 10, 2023.