

John C. Smith

PARTNER

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John has been practicing law for 22 years and joins RL&L as a Litigation Partner.

John has represented local and national businesses, individuals, fiduciaries, and business debtors in multiple jurisdictions and forums, including state and federal court, arbitration proceedings, bankruptcy, and state court receivership proceedings. John has extensive trial experience, both civil and federal court, including bankruptcy confirmations, contested matters and adversary proceedings. John also represents clients in business bankruptcy cases and works with secured and unsecured creditors, as well as debtors, through complex Chapter 11 bankruptcy issues in all aspects of debtor/creditor relationships, workouts, and litigation.

John clients' trust him to help guide them through sophisticated transactions, trial, complex bankruptcy issues and appeals from a variety of industries – including healthcare, finance, technology, investment, agriculture, and real estate. John's in-depth experience, knowledge, empathy, and compassion help his clients develop the best strategies for their legal issues, period.

John also serves in the Arizona Air National Guard and is currently the Deputy Wing Commander for the 161st Air Refueling Squadron based at Phoenix, Sky Harbor Airport. John has served his country for over 22 years, deploying throughout the world in support of operations, including Operation Enduring Freedom and Operation Iraqi Freedom. It is with considerable pride that John has had the good fortune to both serve his country and his clients throughout his career.

Selected Representations

- Plan Trustee for Debtor asserting claims for fraudulent transfer of corporate assets.
- Committee Counsel for Official Committee of Unsecured Creditors with potential causes of action for fraudulent transfer and insider dealing.
- Plan Trustee in corporate reorganization with large fraudulent transfers and several issues with property holdings and mismanagement of trust assets.
- Counsel for three entities in a large reorganization.
- Counsel for Chapter 7 Trustee recovering amounts for unsecured creditors.
- Counsel for Chapter 11 Debtors

EDUCATION

Sandra Day O'Connor College of Law, Arizona State University, Juris Doctor, 2003

- Substantial Research Paper: Prosecuting the Corporation-Ramifications of Sarbanes-Oxley Act of 2002

University of Washington, Bachelor of Arts, English Literature, 1998

- Varsity Member, UW Golf Team (NCAA Division I)
- Editor, Bricolage: A Literary Journal

ADMISSIONS

- Alaska State Bar
- Arizona State Bar
- United States District Court for the District of Arizona
- United States District Court for the District of Alaska
- United States Court of Federal Claims

PRACTICES

- Appellate Representation
- Business Litigation
- Estates & Trust Litigation
- Personal Injury

- Counsel for an investor in an adversary proceeding instituted against the investors of a Ponzi scheme.
- Counsel for a lessor in large reorganization of a third party logistics and warehouse provider.
- Counsel for a banking group to protect their interests in the Bankruptcy case.
- Counsel for Salamatof Native Association to protect their ancestral lands and commercial leases during the liquidation of Pacific Energy.
- Counsel for non-profit ski area to enforce its rights against the Municipality of Anchorage in a lease dispute; awarded nearly \$1 million at trial against Municipality of Anchorage.
- Counsel for homeowner whose home was wrongfully foreclosed.

CONCENTRATION

- Commercial Litigation
- Bankruptcy and Reorganization
- Corporate and Real Estate Dispute
- Creditor/Debtor Restructuring
- Bankruptcy Trial and Appeals

Civic Activities

- Arizona Women Lawyer Association, 2016-2020
- Arizona Minority Bar Association, 2016-2020
- Arizona Pilots' Association
- Arizona Wine Growers' Association, Vice President, 2015-2018, Current Member
- Best Practices Committee- State Bar of Arizona, Bankruptcy Section
- State Bar of Arizona - Legal Services for Veterans, 2011-2015
- Pima County Lawyer Referral Service, 2014-Present
- Pima County Bar, Judge Pro Tem, 2016-Present
- Pima County Commissioner on Superior Court Appointments, 2020-2023

Background

John is married to Jan Leavitt Smith. They have three children; Elizabeth, Jacob and Owen, and currently reside in Tucson. A second-generation Arizonan, John was born and raised in Phoenix. He attended Brophy College Preparatory School prior to college. In addition to practicing law and serving as a Lt. Colonel in the Arizona Air National Guard, John and his family own and operate an 860-acre farm, vineyard and winery in Pima and Graham County, Arizona.

Military Experience

161st Air Refueling Wing, Arizona Air National Guard, Phoenix, Arizona - Squadron Commander/ Evaluator Pilot KC-135 (Jul 2011—Present)

144th Airlift Squadron, Alaska Air National Guard, Anchorage, Alaska - Command Pilot C-130H2 (Jun 2002—Jul 2011)