



## Russell K. Smith

Shareholder

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V-CARD

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Russ Smith is a shareholder and Chair of the firm's Corporate and Securities Section. Mr. Smith has represented principally start-up and emerging growth companies, as well as venture capital funds, since 1992. Mr. Smith has represented clients in a broad range of industries and sectors, including venture capital, life sciences, software, internet, real estate, manufacturing, retail, telecommunications, and energy (including oil and gas).

With respect to his start-up and emerging growth company clients, Mr. Smith's representation extends from pre-inception planning through acquisition or initial public offering, directly advising entrepreneurs, executive management, and boards of directors. As part of his start-up practice, Mr. Smith represents companies in matters, such as

- entity formation and initial capitalization, including founder equity issuances and agreements among security holders;
- equity compensation, including stock option plans;
- private debt and equity placements, including venture capital and bank financings;
- intellectual property transactions, including licensing, joint development and distribution arrangements and other technology transfer matters; and
- mergers and acquisitions.

Mr. Smith also advises institutional investors and fund sponsors in connection with the formation and reorganization of venture capital funds. In such capacity, Mr. Smith has formed venture capital funds having aggregate capital commitments in excess of \$650 million. Mr. Smith regularly serves as outside counsel to such venture capital funds.

Prior to joining Durham Jones & Pinegar in 2004, Mr. Smith spent the first 9 years of his legal career in the San Francisco Bay Area working for regional and national firms before spending 3 years in San Diego building the corporate and venture fund practice of Morrison & Foerster's newly established office in that city.

### **PRACTICE AREAS**

#### Corporate & Securities

- Corporate Law
- Finance

- Mergers & Acquisitions
- Securities Law
- Partnership and Limited Liability Company Law
- Tax Law

#### **EDUCATION**

Brigham Young University, J. Reuben Clark Law School - J.D., *cum laude* (1992)

- Member, Moot Court Board
- Member, *Brigham Young University Journal of Law and Education*

Brigham Young University - B.S., Business Finance, *cum laude* (1989)

#### **ADMITTED TO PRACTICE**

- Utah
- All State and Federal Courts in Utah
- California
- Colorado
- Texas

#### **INDUSTRIES**

- Financial
- Industrial
- Technology

#### **ADDITIONAL LANGUAGES**

- French

#### **PROFESSIONAL AND CIVIC ACTIVITIES**

- Chair, Business Section, Utah State Bar (2008-2009); Officer (2005-present)
- Member, San Diego Venture Group (2001-2003)
- Member, San Diego County Bar Association (2001-2003)
- Chairman, Young Tax Lawyers Committee - South Bay Chapter (1996-1997)
- Member, California State Bar Tax Section Pass-Through and Real Estate Committee (1996-1997)
- Executive Committee, Tax Section, Santa Clara County Bar Association (1994-1998)
- Member, Santa Clara County Bar Association (1992-2001)

#### **RECENT NEWS**

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