

**PATRICIA McCOY SMITH**

*Smith LLP, 1611 Telegraph Avenue, Suite 210, Oakland, California 94612*

*Telephone: (510) 273-8880; Email: patsmith@smithllpgroup.com*

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*Education:*

University of San Francisco Law School  
San Francisco, California  
Juris Doctor, 1986  
Member, USF Law Review  
Note: "Retroactivity at the Stringfellow Acid Pits"

Member, State Bar of California

Temple University  
Philadelphia, Pennsylvania  
B.S. Degree in Education, with Honors

*Employment:*

Smith LLP, Partner  
August 2014 to Present  
Areas of Specialization: Drafting and negotiating contracts and agreements in connection with a variety of public entities and private businesses; representing property owners in connection with the purchase, sale and leasing of commercial property; representing business owners in a wide-range of disputes, including eminent domain, inverse condemnation, breach of contract and construction litigation.

Dhillon & Smith, Partner  
December 2013 to July 2014  
Areas of Specialization: Drafting and negotiating contracts and agreements in connection with a wide variety of public entities and private businesses; political law, including success in having a candidate for the 17<sup>th</sup> Congressional District removed from the ballot; intellectual property law involving takedown requests and a variety of business disputes, including breach of contract and construction litigation.

The San Francisco Bay Area Rapid Transit District  
Office of the General Counsel  
March 1998 to December 2013  
Areas of Specialization: Drafting and negotiating contracts and agreements in connection with the SFO, Warm Springs, eBART, and Silicon Valley Rapid Transit Extension Projects; special entrance

agreements; funding agreements; agreements between BART and the City of San Francisco; railroad acquisition agreements with Union Pacific Railroad in connection with the Warm Springs and eBART Extension Projects; contract review; supervise outside counsel on environmental review for Warm Springs and eBART Extension Projects, climate control/sustainability matters; and handling of all aspects of eminent domain cases for the Warm Springs and eBART Extension Projects.

Bay Area Transit Consultants (Parsons Brinkerhoff)  
January 1996 to March 1998

Areas of Specialization: Drafting and negotiating contracts in connection with the BART/SFO Airport Extension.

Morgan, Miller & Blair, Walnut Creek, California

Areas of Specialization: Construction, insurance coverage and contract litigation.

Keesal, Young & Logan, San Francisco, California

Areas of Specialization: Retail securities litigation and maritime personal injury defense litigation.

Pettit & Martin, San Francisco, California

Areas of Specialization: Securities and construction litigation.

*Teaching:*

Lecturer, University of California at Berkeley  
Spring 1994  
Legal Research and Writing

Faculty Member, University of San Francisco Law School  
Spring 1995  
Intensive Advocacy Program

*Career Highlights:*

- Drafted and negotiated Special Entrance Agreement between BART and Westfield Corporation, resulting in station improvements at the Powell Street BART Station.
- Successfully defended BART in Quiet Title action brought by Costco, Inc. in connection with the SFO Extension, resulting in a favorable settlement for BART.
- Drafted and negotiated the Comprehensive Agreement between BART and Santa Clara Valley Transportation Authority (VTA) in connection with the SVRT Extension.

- Drafted and negotiated the Property Transfer Agreement between BART and VTA for the purchase of Union Pacific Railroad Right of Way for the Warm Springs Extension.
- Supervised all legal aspects of environmental review for the Warm Springs and eBART Extension Projects, including revision of draft sections for the Supplemental Environmental Impact Report and Environmental Impact Statement for the Warm Springs Project and the Environmental Impact Report for the eBART Project.
- Drafted and negotiated various real estate agreements between BART and the City of San Bruno, resulting in the construction of a Joint Police Facility at the San Bruno BART Station.
- Drafted and negotiated Design Review Agreements and Comprehensive Agreements with the Cities of Millbrae, San Bruno and South San Francisco.
- Handled all aspects of eminent domain litigation for the Warm Springs Extension Project, resulting in settlements and Final Orders of Condemnation in all cases.
- Handled all of the bankruptcy litigation for a San Jose computer corporation, recovering over \$3,000,000 for the estate.
- Defended members of the brokerage community in thirteen arbitrations before the National Association of Securities Dealers and New York Stock Exchange.
- Successfully defended the United States of America in personal injury litigation before the Hon. Thelton E. Henderson in the U.S. District Court for the Northern District of California.
- Internship with the United States Attorney's Office for the Southern District of New York, and participation in the successful prosecution of several organized crime trials under the direction of former U.S. Attorney Rudolph Giuliani.

*Community Activities:* Member, Alta Bates Summit Foundation, Board of Trustees  
Co-Founder, East Bay Habitat for Humanity, Board of Trustees