

JEFFREY M. SMITH

WORK ADDRESS

Sheppard, Mullin, Richter & Hampton
LLP
700 Louisiana Street, Suite 2750
Houston, Texas 77002

HOME ADDRESS

1232 Arlington Street
Houston, Texas 77008

DESCRIPTION OF CURRENT
PRACTICE

I have a broad based commercial real estate practice focusing on net lease transactions, real estate joint ventures, development of commercial properties, leasing, and acquisitions and dispositions.

Historically, my practice has been split evenly among all of the areas identified above. More recently, my practice has had a greater focus on net-lease transactions, the disposition and redevelopment of office buildings and real estate joint ventures, particularly in the single-family build-to-rent market. The breakdown of my practice over the past two years has been net lease transactions (40%), joint venture and related work (25%); acquisitions and dispositions of commercial properties, including office buildings and industrial facilities (20%); and tenant side commercial leasing focused on office and industrial facilities (15%). Previously, I spent a significant portion of time assisting purchasers of distressed debt and a national retailer in its leasing activity across the country. Representative experience is below.

Net Lease Transactions

- Represent net lease provider in multiple sale-leaseback transactions involving several hundred properties across over 35 states in multiple asset classes, including manufacturing facilities, funeral homes, veterinary clinics, and retail locations representing \$100,000,000's of investments.
- Represented net lease provider in unique structures including hybrid lease/mortgage transactions and joint venture transactions involving the acquisition and leaseback of commercial properties.

Joint Venture

- Represented a sponsor in a \$250,000,000 programmatic joint venture with an equity investor in the development of multiple single-family build-to-rent communities.
- Represented a sponsor in multiple joint ventures agreements (each approximately \$50,000,000) in Texas, Florida, and Tennessee for the development single-family built-to rent communities.

- Represented an equity investor in the sale of its membership interest in a hospitality development during the construction phase of development.
- Represented a national real estate and development firm in connection with two joint ventures to refurbish an existing hotel and redevelop another property for hotel use, both in Charleston, South Carolina.
- Represented a national real estate and development firm in connection with an investment in a joint venture to expand a boutique hotel concept.

Acquisitions and Dispositions

- Advised real estate developer in connection with the acquisition, development, leasing and disposition of an industrial park in Houston, Texas.
- Represent wastewater treatment and disposal company with the acquisition of two ranches comprising 122,000 acres in New Mexico and Texas.
- Represent oil and gas exploration company in acquisition of a 110,000 square foot office building in Oklahoma City.

Leasing Experience

- Represent private equity fund with \$230 billion of assets under management in its leasing of 100,000's of square feet of office space across the United States and internationally.
- Represent global investment firm with \$75 billion of assets under management in connection with the lease for its headquarters in San Francisco, related subleases and leases for its offices across the United States.
- Represent public energy company in connection with its leasing activity across the United States.
- Represented national junior anchor retailer in connections with its national leasing portfolio.

Other Representative Experience

- Counseled a property management company as a receiver of commercial properties, including the sale of a 550,000 square foot mixed-use development in Houston, Texas
- Advised lenders in connection with the purchase and sale of hundreds of millions of dollars of distressed assets with a focus on loan portfolio purchases and REO properties acquired through foreclosure.

EDUCATIONAL BACKGROUND

University of Illinois College of Law, JD, 2003, *Summa Cum Laude*

Order of the Coif

Rickert Awards Winner (Excellence in Academic Achievement and Excellence in Legal Writing)

University of Illinois Law Review, Symposium Editor

University of Notre Dame, BA (Government, Computer Applications, Economics), 1997, *Magna Cum Laude*

BAR MEMBERSHIPS AND DATES

Texas (2003)

EMPLOYMENT HISTORY

Sheppard, Mullin, Richter & Hampton, LLP, Partner (2024-Current)

Winston & Strawn LLP, Partner (2017-2024)

Locke Lord LLP

Partner (2012-2017)

Associate (2003-2011)

SPEAKING ENGAGEMENTS

Presenter and Moderator, “Receiverships 2023” Presentation and moderation of panel on receivership experts on trends in receiverships and commercial loan workouts made to the Houston Real Estate Lawyers’ Council, November 2023 (15 hours).

Presenter, “Real Estate Law” – Presentation to Corporate Counsel Externship Program, SMU Dedman School of Law, October 2021 (25 hours).

Presenter, “Emerging Trends in the Single-Family Sector” – Presentation on trends and unique issues that arise in the single-family build-to-rent and iBuyer markets made to the Houston Real Estate Lawyers’ Council, June 2021 (15 hours).

Presenter, “U.S. Real Estate” – A presentation of basic principles in United States real estate transactions given to Chinese professionals during a weeklong trip to China, October 2017 (60 hours).

LEGAL PUBLICATIONS

Publication, “Office/Retail FAQ’s” – Publication for COVID-19 Task Force related to common questions from office and retail tenants in connection with the impacts on COVID-19 on the payment of rent and other lease related issues, March 2020 (15 hours).

Contributor, “Loan Workouts” presented at South Texas College of Law Annual Real Estate Law Conference, June 2009 (25 hours).

Contributor, “Foreclosure Issues of 2007 – In a Difficult Economy” presented at University of Houston Law School Advanced Real Estate Court, November 2007 (25 hours).

Publication, “The Prospects for Continued Protection for Professionals Under the NLRA: Reaction to the Kentucky River Decision and the Expanding Notion of the Supervisor,” University of Illinois Law Review, Volume 2003, Number 2 (<https://illinoislawreview.org/wp-content/ilr-content/articles/2003/2/JSmith.pdf>) (100+ hours).

BAR ACTIVITIES

Councilmember, Houston Bar Association - Real Estate Law Section (2018-2021) (Planned real estate CLE presentations for Houston Bar Association Real Estate Section)

Member, State Bar of Texas (2003-2024)

Member, Houston Bar Association (2003-2024)

PROFESSIONAL RATINGS

Best Lawyers in America, Real Estate (2022-2024)

Best Lawyers in America, Banking and Finance Law (2015-2024)

Super Lawyers, Houston, Real Estate Law (2024)

Law 500, Key Lawyer, Winston & Strawn Real Estate Section (Tier 4)

Chambers, Winston & Strawn Real Estate Section (Band 2)

TEACHING ACTIVITIES

Coordinated in-house real estate training at Locke Lord (2012-2017).

- Firmwide – Organized topics and presenters for annual real estate training for associates. Presented on multiple topics including lease negotiations, title and survey matters, and lending matters.
- Houston Office – Organized monthly real estate presentations in the Houston office that included presentations by attorneys across the firm, clients, and outside service providers. Individually presented on multiple topics, including emerging trends in Texas law, title and survey matters, foreclosures, and the UCC.

Councilmember for the Houston Bar Association Real Estate Law Section (2018-2021) – Assisted in the planning and coordination of monthly presentations for the Houston Bar Association Real Estate Law Section.

Mentorship – Actively involved in associate mentor programs at Sheppard, Mullin, Richter & Hampton, LLP, Winston & Strawn LLP and Locke Lord LLP (2008-2024).

Associate Development – Member of the Associate Evaluation Committee at Winston & Strawn LLP (2017-2024).

COMMUNITY SERVICE AND PRO BONO ACTIVITIES

Community Service

Board of Directors, Theatre Under the Stars (2017-Current) (Co-Chair of 2018 Education Celebration) (Member of Education and Construction Committees) (25 hours/year)

Chair-Elect, Board of Directors, Lighthouse of Houston (2019-Current) (Member of Executive Committee) (50+ hours/year)

Volunteer Coach, Baseball and Soccer, Timbergrove Sports Association (2010-2015) (100+ hours/year)

Pro Bono Activities

Devoted hundreds of pro bono hours in representation of a regional theatre in connection with proposed ground lease and development of a 1,300-seat theatre in Houston's Ion District, with educational facilities for its musical theatre academy and inclusive arts program and administrative offices. The representation also included work on the theatre's lease for its current office, educational and theater space (300+ hours).

Assisted Lighthouse of Houston with matters related to the sale of a portion of its property to a developer and ongoing real estate matters (40 hours).

Assisted local private schools in connection with real estate development and financing matters (10 hours).

Assisting a Libyan national in connection with an asylum application (100+ hours).

Coordinated pro bono activities with Texas C-BAR (Community Building with Attorney Resources), an attorney referral program providing legal assistance to non-profits, during tenure with Locke Lord LLP (15+ hours/year).

OTHER MEMBERSHIPS

Member, Houston Real Estate Lawyers Council (2022-2024) (Invitation only council comprised of Houston's top real estate attorneys)

Member, Notre Dame Alumni Club of Houston

Parishioner, Saint Anne's Parish

HONORS

Life Fellow, Texas Bar Foundation (2012-2024)

ATTACHMENTS

Personal biographical information from Sheppard Mullin website.

“Real Estate Law” presentation to Corporate Counsel Externship Program, SMU Dedman School of Law.

“Emerging Trends in the Single-Family Sector” outline for presentation to Houston Real Estate Lawyers’ Council.

“U.S. Real Estate Presentation” for Chinese companies.

Publication from University of Illinois Law Review (<https://illinoislawreview.org/wp-content/ilr-content/articles/2003/2/JSmith.pdf>).

PERSONAL

Born May 19, 1975

Married to Jessika with two children, Connor (20) and Courtney (18)

Hobbies include cycling, running, skiing, and attending live music and theater performances