



**LASHLY & BAER, P.C.**  
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**Michael J. Smith**

Attorney at Law

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Michael J. Smith is the chair of Lashly & Baer's Litigation practice group and engages in civil litigation with an emphasis on representing health care professionals and insurance companies.

Mr. Smith has successfully defended health care providers at trial and, in addition, has represented health care providers in licensure and disciplinary proceedings, credentialing matters and business disputes. He also represents insurers in coverage disputes and policy analysis.

Mr. Smith has provided clients with numerous insurance coverage opinions on a variety of issues, and has successfully litigated coverage cases in both federal and state courts. Mr. Smith understands that where insurance coverage is an issue, providing timely, aggressive and strategic analysis, and advice can help protect the interests of the insurer and lead to earlier resolution of coverage disputes.

Mr. Smith has achieved a Martindale-Hubbell Rating of AV, the highest rating obtainable based on peer review. It's this type of professional excellence that he provides when counseling health care providers in the areas of risk management, medical record issues and the development of practice management guidelines and procedures. Mr. Smith has also represented clients in claims based on premises liability, product liability, motor vehicle liability, breach of contract, accounting malpractice and insurance coverage disputes.

Mike has been selected for inclusion in *Missouri & Kansas Super Lawyers* each year since 2008. He has delivered informative legal lectures to top medical schools and hospitals. He earned his J.D. from the University of Missouri-Columbia.

**Primary Practice Areas**

- Health Care
- Litigation
- Insurance & Surety

**Bar Admissions**

- United States Court of Appeals, Eighth Judicial Circuit, 2005
- United States District Court, Western District of Missouri, 1994
- United States District Court, Eastern District of Missouri, 2001
- United States District Court, District of Kansas, 1996
- Supreme Court of Missouri, 1994
- Supreme Court of Illinois, 2011
- Supreme Court of Kansas, 1996

## **Education & Academic Honors**

- J.D., University of Missouri-Columbia, 1994
- B.S.B.A., *magna cum laude*, Finance and Banking, Economics, University of Missouri-Columbia, 1991

## **Professional Associations**

- American Bar Association
- The Missouri Bar
- Bar Association of Metropolitan St. Louis
- Missouri Organization of Defense Lawyers
- Defense Research Institute

## **Representative Clients**

- Hudson Specialty Insurance
- Intermed Insurance Company
- Barnes-Jewish Hospital
- Missouri Baptist Medical Center

## **Representative Cases or Transactions**

- State ex rel. Holzum, 342 S.W.3d 313 (Mo. 2011)
- Stern v. Internal Medicine Consultants, 452 F.3d 1015 (8th Cir. 2006)
- Urologic Surgeons v. Bullock, 117 S.W.3d 722 (Mo. App. E.D. 2003)
- Mueller v. Bauer, 54 S.W.3d 652 (Mo. App. E.D. 2001)

## **Recent Publications or News**

- "Medical Malpractice Legal Update," published in the Missouri Organization of Defense Lawyers Newsletter, Spring 2009
- "Legal Update," presented at the Washington University School of Medicine and BJC Health System Defense Counsel Seminar, 2008
- "The Defense of Medical Malpractice Cases After Tort Reform," presented at the Missouri Bar Association's Annual Medical Malpractice Continuing Legal Education Seminar, 2007
- "Double Indemnity?," presented at the Healthcare Services Group Annual Defense Counsel Seminar, 2006
- "Missouri Tort Reform," presented to The Medical Protective Company's risk management seminar for its insureds, 2005
- "Deposition Tips and Traps," presented to the Barnes-Jewish Hospital and Washington University Emergency Medicine Departments, 2002
- "Efficient Injustice: The Demise of the 'Substantial Injustice' Exception to Arbitral Finality," University of Missouri Journal of Dispute Resolution, 1993

## **Community Service & Awards**

- Martindale-Hubbell, AV Peer Review Rating
- *Missouri & Kansas Super Lawyers*, 2008-Present
- Missouri Lawyers Weekly Top 35 Up & Coming Lawyers, 2007
- Director, St. Clare of Assisi Parish Soccer Program, 2007-Present
- Youth Soccer Coach, 2000-Present

## **Employment History**

- Lashly & Baer, P.C.  
Member, 2005-Present  
Litigation Practice Group Chair, 2009-Present
- Moser and Marsalek, P.C.  
Principal, 2002-2005  
Associate, 1999-2001
- Yeretsky & Maher, L.L.C.  
Associate, 1996-1998
- Carson & Coil, P.C.  
Associate, 1994-1996