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TRIAL, ARBITRATION, MEDIATION, EXPERT REPORT AND DEPOSITION HISTORY

Testimony, Deposition, Expert Reports

1. Retained June 2021 by the respondent as an expert witness to testify at a FINRA arbitration involving allegations of excessive trading and consequently claims of; Fraud, Negligent Misrepresentation, Breach of Fiduciary Duty, Negligent Supervision. The case was settled in August 2021.
2. Retained in June 2020 as an expert witness on an employment matter related to forfeited deferred compensation. Hearing is scheduled for June 2022.
3. Retained in October 2019 as an expert witness on a JAMS arbitration involving allegations of unsuitable trading, breach of fiduciary duty, and conflicts of interest. Provided an expert report on behalf of the respondent rebutting the conclusions of the plaintiffs expert. Was deposed and also provided expert testimony at the hearing. The final ruling exonerated the respondents on all allegations.
4. Retained in September 2019 as an expert witness on a FINRA arbitration matter involving claims related to forfeited deferred compensation. Provided expert testimony on behalf of the respondent regarding standard and customary industry practices related to the replacement of forfeited deferred compensation and related U5 reporting requirements.
5. Retained in July 2019 as an expert witness on a matter involving a US registered broker serving as the clearing firm for an international introducing broker who traded US equity options for his clients. Provided written expert opinions for the US broker dealer to use in their defense in a German court of law.
6. Retained in March 2019 as a consulting expert to plaintiffs counsel regarding the scope of claim. The issue was a registered broker dealers estate planning department provided incorrect advice which resulted in a substantial tax liability.
7. Retained in March 2018 as an expert witness on a matter in state court involving allegations that a broker-dealer failed to supervise an employee who personally committed bank fraud. Provided an expert rebuttal report on behalf of the respondent, opining on the related FINRA and NASD regulations and their applicability in supervising the employee's personal actions. The case was settled in March 2019.
8. Retained in February 2018 as an expert witness on a FINRA arbitration matter involving allegations of unsuitability of a specific energy related ETN used to execute an undisputed investment strategy. Provided the respondent with a detailed analysis of all other potential ETF/ETN's which could have been substituted to discover that all had the same inherent structures and all would have produced similar results during then current market conditions. The matter was settled promptly following disclosure of this analysis.



9. Retained as an expert witness by the complainant, a charitable foundation, in January 2018 on a FINRA arbitration matter alleging fraudulent trading (churning), breach of fiduciary duty and gross negligence. Prepared extensive analysis of the account activity over a seven year period in preparation for testimony at hearing. Provided expert testimony at the hearing in September 2019 regarding churning, breach of fiduciary duty and failure to supervise. Eight different parties were named respondents. Five reached settlement agreements during the hearings and the panel unanimously found the other three liable for compensatory damages.
10. Retained as an expert witness on a matter in state probate court involving a concentrated position held within a trust. Provided an expert report on behalf of the Respondent, opining on the feasibility of diversifying away from said concentrated position based on analysis done by investment banks that had been presented to the trustee. Responded to arguments put forth by the opposing expert, and deposed by Claimant's counsel. Provided deposition in August 2017. Judge ruled in summary judgement 100% in favor of respondents.
11. Retained as an expert witness on a matter in federal court involving commodities trading, daily position limits, and automated order systems trading limits. Provided an expert report for the respondent, case has been stayed.
12. Retained as an expert witness from March 2016-June 2016 for the respondent on a matter involving main issues of a business failure. Scope of engagement was to opine as an expert on the associated Private Placement Memorandum, specifically related to disclosures. Submitted expert report for matter and extensively prepared for expert testimony. Before an American Arbitration Association arbitrator, who ruled 100% in favor of the respondent.
13. Retained as a consulting expert in 2016 to plaintiff's counsel regarding scope of the claim. Claim filed and case settled favorably for plaintiff.
14. Served as fact witness for respondents in 2008 on a matter involving unauthorized trading, unsuitability, churning, and failure to supervise.(Outcome- all claims denied)
15. Served as fact witness for respondents in 2008 on a matter involving wrongful termination, defamation, and tortious interference with prospective economic advantage.(Outcome- all claims denied)
16. Served as fact witness for respondents in 2007 on a matter involving wrongful termination, defamation, and tortious interference with prospective economic advantage.(Outcome- all claims denied)
17. Served as a firm representative in 2003-2004 to an SEC and Attorney General of the State of New York, review of mutual fund trading by a hedge fund. Firm was found to be in complete compliance with all related regulations. This was a substantial national case involving many large mutual fund companies. Hedge fund paid a \$40 million fine and many large mutual fund companies had sanctions and penalties levied.
18. Testified as a fact witness before a NYSE panel of examiners, an SEC Examiner and testified twice before an Ohio State Grand Jury in 2001-2002 as a firm representative during substantial litigation and regulatory investigation of firm's involvement in a Ponzi scheme.