



James G. Smith

Partner

Business Counseling

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Overview

Drawing on over 25 years of experience, Jim's practice focuses on complex securities and corporate transactions, investment management and corporate law. His practice includes advising opportunistic and strategic investors in acquisitions, joint ventures and dispositions. Jim guides purchasers and sellers through the acquisition process, both domestic and international. He has closed acquisitions and dispositions for clients in many asset classes, including real estate, energy, technology, hospitality, apparel, consumer goods, consulting and financial services. Jim frequently structures synthetic arrangements and transactions to meet the goals of his clients.

Jim's investment management experience includes the formation and representation of private investment funds. Jim has advised a broad spectrum of investment fund managers in many trading strategies and asset classes, including private equity, venture capital and real estate funds. He guides investment managers to structure their management firms and launch their investment funds. He advises investment funds on transactions from the negotiation of terms, documenting investments closing through investment disposition.

Jim's securities experience includes representing issuers, underwriters and investors in public and private offerings, reporting and compliance and corporate governance matters. Jim represents U.S. and foreign issuers in startup, early-stage and other venture capital financings, private placements, public offerings and other structured financings.

Representative Experience

- Represented numerous investment managers in fund formation of various asset classes, including long/short hedge, real estate, mortgage, film, rare coin and racehorse funds.
- Represented founder in sale of professional sports team.
- Represented investment group in acquisition of European marina and real estate development project.
- Represented international apparel company in asset acquisition of California-based swimwear and apparel company.
- Represented investment fund in structuring joint venture to develop and operate biofuel energy plant in Japan.
- Represented international investment banking firm in private placement of parent company's equity interests.
- Represented investor group in structuring funds for multiple qualified opportunity zone development projects.

Professional and Community Involvement

- American Bar Association, Business Law Section
- California Lawyers Association, Business Law Section
- Knights of Columbus
- Former youth softball, baseball, basketball and volleyball coach

Select Articles

- [**"The NY LLC Transparency Act,"**](#) *Archer Client Advisory* (February 2024)
- [**"SEC Adopts Executive Compensation Clawback Rules Mandated Under Dodd-Frank Act,"**](#) *Archer Client Advisory* (November 2022)
- [**"Securities and Exchange Commission Reinvigorates Pay Versus Performance Proposal - Follows Restart of Executive Compensation Clawback Proposal,"**](#) *Archer Client Advisory* (February 2022)
- [**"Rule 10b5-1 Plans: SEC Proposes Overhaul of Insider Trading Safe Harbor,"**](#) *Archer Client Advisory* (January 2022)
- [**"SEC Adopts New Universal Proxy Rules For Proxy Contests,"**](#) *Archer Client Advisory* (November 2021)



Credentials

Education

- Golden Gate University School of Law, JD
- California State University at Hayward, MBA
- California State University at Hayward, BS

Admissions

- California
- New York

Offices

- New York, NY

Areas of Focus

Practice

- Business Counseling
- Energy & Utilities
- Mergers & Acquisitions

Industries

- Apparel & Textile

