



## **Rob Roy Edward Stuart Smith**

### **Partner**

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### **Services**

Complex Commercial Litigation  
Litigation  
Native American  
Native American Litigation



Rob Roy Smith is the Managing Partner for the firm's Seattle office and co-team leader of the firm's Native American Practice Group. Mr. Smith exclusively practices federal Indian law. He advises Indian tribal clients on all aspects of federal, state and tribal law, including tribal sovereignty, economic development, natural and cultural resource protection, taxation, and gaming.

Mr. Smith is dedicated to helping Indian tribal governments achieve their goals. Whether as general counsel or special litigation counsel, Mr. Smith consistently finds the best legal and business solutions to benefit tribal communities.

Mr. Smith has successfully represented Indian tribal governments, individual Indians and tribal businesses in high-stakes litigation before tribal, state and federal courts, including numerous appellate courts, and the Washington and Idaho Supreme Courts, on issues ranging from protecting tribal sovereign immunity to securing treaty rights. He has filed briefs before the United States Supreme Court and the United States Court of Federal Claims on a variety of issues, including tribal jurisdiction, the Indian Child Welfare Act (ICWA) and fiduciary duty. Mr. Smith also has extensive experience litigating tribal Racketeer Influenced and Corrupt Organizations Act (RICO) cases to protect Tribal decision makers and in obtaining valuable taxable and tax-free financing for tribal economic development and diversification. Mr. Smith has experience in helping tribal clients manage public health issues including COVID-19.

Mr. Smith was listed by *The Best Lawyers in America*® for Native American Law in 2023 and the nine years immediately preceding. He was also named a 2023 "Seattle Lawyer of the Year" for Native American Law by *The Best Lawyers in America*®. Mr. Smith was recognized as a Washington "Super Lawyer" for Native American Law in 2022 and the eight years immediately preceding by *Super Lawyers* magazine. He was named a 2016 "Rising Star" by *Law360* for Native American Law. Mr. Smith was listed in the 2022 and the six years immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* for Native American Law. He was also ranked nationally as a "Recognized Practitioner" for Native American Law in 2020, 2021 and 2022 and ranked nationally as "Up and Coming" for Native American Law in 2016 and 2017 by *Chambers USA: America's Leading Lawyers for Business*. Mr. Smith is a recipient of the firm's Pro Bono Collaboration Award in 2017 for his work on a federal civil rights litigation case for a Native Hawaiian father and his two young sons against the boys' elementary schools, their principal, and superintendent.

## **Experience**

Assist Indian tribal government with COVID-19 vaccine procurement and development of large scale vaccination clinic program.

Represent Indian tribal government in *State of Washington, et al. v. Russell Vought, et al.*, successfully obtaining preliminary injunction to halt the closure and sale of the Seattle National Archives and Records Center.

Assisted Indian tribal government in obtaining over \$20,000,000 in funds to support COVID-19 pandemic response.

Represented coalition of Indian tribes in successful litigation against the U.S. Department of Treasury to force the timely release of Congressionally-mandated CARES Act funds.



Representation of a federally-recognized tribal government and gaming authority in the successful negotiation and closing of new secured credit facilities provided by a syndicate of bank lenders consisting of more than \$300 million in aggregate principal amount of revolving loan (including letter of credit and swing line loan subfacilities) and term loan credit facilities (including an option to reallocate a portion of term loans to tax exempt loans), together with an additional \$50 million in optional incremental facilities, secured by assets of the gaming authority, for use in refinancing existing gaming and resort related indebtedness of the tribe and anticipated future casino and resort expansion projects. The transaction was completed in 2014 and received the Native American Finance Officers Association (NAFOA) 2015 “Deal of the Year” Award.

Represent an Indian tribe in California in \$28 million tax preemption litigation against County of Riverside.

Represent Indian tribes, tribal officials and tribal judges in federal RICO actions and related tort litigation challenging tribal decision making.

Represent Indian tribes with all aspects of federal, state and tribal taxation, including defending Indian tribes and Indian casinos against IRS examinations, and assisting tribes with the development of taxation codes and general welfare policies.

Provide on-going general counsel services to an Indian tribe in Washington State.

Represent Indian tribe in Washington State in ongoing treaty fishing rights litigation (*U.S. v. Washington*).

Represent Indian tribe in Washington State in \$50 million contract dispute with the State of Washington.

Represent the Quinault Indian Nation against four school districts and their superintendents and athletic directors, alleging racial discrimination in violation of Title VI of the Civil Rights Act of 1964 and Washington State law.

## **Education**

Northwestern School of Law of Lewis and Clark College J.D. (2000) *Certificate in Natural Resources and Environment Law, cum laude*  
*Animal Law Review*, Editor in Chief (1999-2000)

College of the Holy Cross B.A. (1997)

## **Admissions**

Washington (2003)

Idaho (2001)

Oregon (2000)



## **Court Admissions**

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Federal Claims

U.S. District Court for the District of Idaho

U.S. District Court for the District of Oregon

U.S. District Court for the Western District of Washington

U.S. Supreme Court

U.S. Tax Court

Various Tribal Courts

## **Professional & Community Activities**

Executive Council, Seattle University School of Law's Center for Indian Law and Policy (March 2016-Present)

Adjunct Professor, Federal Indian Law, Seattle University School of Law (2008-Present)

Visiting Professor, The University of Montana School of Law, Taxation and Finance in Indian Country (August 2017)

Washington State BarBri, Federal Indian Law, Instructor (2009-2012)

Animal Legal Defense Fund, Volunteer Attorney (2007-Present)

Idaho State Bar, Indian Law Section, Co-Founder and Past Chair

Washington State Bar, Indian Law Section, Member

Oregon State Bar, Indian Law Section, Member

Lewis and Clark Law School, Alumni Board of Directors, Member (2007-2012)

Marathon Maniac, Member

Daniel Bagley Elementary Parent Teacher Association Board, Vice President (2018-Present)

## **Insights**

### [News Releases](#)

135 Kilpatrick Townsend Attorneys Recognized in 2022 Super Lawyers

December 15, 2022

### [News Releases](#)

Kilpatrick Townsend Earns Top Recognitions in 2023 Edition of The Best Lawyers in America®

August 18, 2022



### [News Releases](#)

Kilpatrick Townsend Attorneys Claim 80 Individual Rankings in 2022 Chambers USA

June 2, 2022

### [News](#)

Rob Roy Smith Quoted in "Snoqualmie Tribe's Fight To Hunt and Gather. Now The Supreme Court Will Weigh In"

March 16, 2022

### [News](#)

Rob Roy Smith Interviewed by KUOW re: "Why the Snoqualmie Indian Tribe Seeks Regulation of Popular Falls Airspace"

February 4, 2022