Frances A. Smith

Shareholder

Ross & Smith, PC

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# Legal Experience

*Ross & Smith, PC* - *January 2019 to present*

Shareholder

Represents Chapter 11 debtors, secured lenders, unsecured creditor committee, and asset purchasers in bankruptcy proceedings throughout Texas and the United States.

*Shackelford, Bowen, McKinley, & Norton, LLP* - *April 2010 to December 2018*

# Partner

Represented debtors, secured lenders, unsecured creditor committees, and asset purchasers in bankruptcy proceedings throughout Texas and the United States.

*Haynes and Boone, LLP* - *October 2002 to March 2010*

# Attorney

Represented debtors, secured lenders, unsecured creditor committees, and asset purchasers in bankruptcy proceedings throughout the United States.

*U.S. Bankruptcy Court Northern District of Texas* - *August 2001 to September 2002*

Judicial Clerk to Chief Judge Barbara J. Houser

# Selected Client Representations

* Represents national equipment lessor in bankruptcy cases and out of court restructurings, including the reorganization of a FRAC sand supplier.
* Represents national car dealership owner in successful contested purchase of assets in Chapter 11.
* Represent chemical company in purchase of assets in out-of-court restructuring.
* Represent heavy equipment lessor in Chapter 11 reorganization of trucking company.
* Represent medical equipment lessor in Chapter 11 reorganization of multi-unit emergency center.
* Represent car dealership in out of court restructuring.
* Represent owner of 264 fast-casual restaurants in its Chapter 11 reorganization.
* Represent franchisee of 26-unit restaurants in its Chapter 11 reorganization.
* Represent a small regional railroad in its Chapter 11 restructuring.
* Reorganized a medical device development company is its Chapter 11 pre-packaged bankruptcy case.
* Represented unsecured creditors committee in the Chapter 7 case of a printing company.
* Represent real estate development company in its Chapter 11 reorganization.
* Represent aircraft management companies in their Chapter 11 reorganizations.
* Represented short line railroad in its Chapter 11 reorganization.
* Represented unsecured creditors group in the out-of-court restructuring of a printing company.
* Represented bank as a secured creditor in the Chapter 11 reorganization of a trucking company. Conducted deposition and prepared for a contested evidentiary hearing, negotiated an agreement on the return of collateral consisting of 23 tractors and over 200 trailers and adequate protection payments of approximately $35,000 per month.
* Represented major national bank as agent in subscription loan facility. Responsible for determining bankruptcy issues and drafting opinion letters on executory contract and financial accommodation issues affecting hundreds of millions of dollars in subscription loans.
* Represented Eagle Drilling as a creditor in the Blast Energy bankruptcy case. Responsible for drafting substantive pleadings, witness preparation, deposition preparation, trial preparation, and acting second chair at trial.
* Managed the in-firm review of a major transactional document review project including: staffing, developing the format of the electronic review sheet, drafting website language, conducting the quality control on the project, generating client reports and demonstrating the product to the client.
* Represented purchaser in the acquisition of Pittsburgh Brewing Company, Inc. through a Chapter 11 plan. Responsible for managing case, drafting the plan and disclosure statement, working with local counsel, and negotiating claims with various creditors.
* Represented Americas Mining Corporation and Asarco Incorporated in the Chapter 11 bankruptcy of their subsidiary. Responsible for drafting several substantive pleadings on executory contract issues in the both the main bankruptcy case and an adversary proceeding.

# Education

*Juris Doctor*, *cum laude*, Southern Methodist University Dedman School of Law, 2001 - Comment Editor, Southern Methodist University Law Review

*Bachelor of Arts*, *summa cum laude*, University of Texas Arlington, 1998

# Recognition/Awards

Best Lawyers in America – Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2022, 2021, 2020, 2019, 2018

D Magazine – Best Lawyers in Dallas – Bankruptcy and Workout Practice (2018, 2019, 2020, 2021, 2022)

Romina L. Mulloy-Bossio Achievement Award for Outstanding Young Bankruptcy Lawyer, 2001

Rookie of the Year 2002 - John C. Ford American Inn of Court, William J. Rochelle, Jr. Course – The Practice of Corporate Bankruptcy Reorganization Law

# Memberships/Admissions

State Bar of Texas Bankruptcy Section – Chair-elect 2021-2022

Dallas Bar Association Bankruptcy Section, Member, Former Chair 2014

DFW Association of Young Bankruptcy Lawyers, Former President 2010

Dallas/Fort Worth Network of the International Women’s Insolvency and Reorganization Confederation (IWIRC), Board Member 2017, Secretary 2011, Member since 2008

The Honorable John C. Ford American Inn of Court, Executive Committee (2015 - present), Secretary/Treasurer (2016-2018), and Barrister

State Bar of Texas, 2001

United States District Courts for the Northern, Southern, Eastern, and Western Districts of Texas United States Court of Appeals for the Fifth Circuit

# Recent Publications/Speeches

* “Recent Developments in Exemptions: Homesteads and Tools-of-the-trade,” Author and Speaker, Current Developments in Bankruptcy, ABA Business Bankruptcy Committee Fall 2021 Meeting, November 5, 2021.
* “Cover Your Assets! A Primer on Bankruptcy Exemptions, Speaker, Starting Out Right, Dallas, Texas, October 22, 2021.
* “How to Foreclose on Personal Property in Texas,” Author and Speaker, 51st Annual William W. Gibson, Jr., Mortgage Lending Institute, Austin, Texas, September 28-29, 2017
* “Top 10 Things Mediators Need to Know About Bankruptcy,” Author and Speaker, Alternative Dispute Resolution Section Meeting, September 11, 2017
* “Removal, Withdrawal, and Appeal: How to Get into or Out of District Court,” Author and Panel Speaker, 13th Annual International Bankruptcy Law Seminar, held in Buenos Aires, March 2016
* “Claim and Claim Objections: A Review of the Rules,” Author, Panel Speaker, and Course Director, Bankruptcy 101 Course for the Texas Bar CLE, 2012
* “Avoiding the Blindside – Update on Chapter 11 Plan Provisions,” Author and Panel Speaker, Northern District of Texas Bankruptcy Bench/Bar Conference, May 2010
* “Texas Legislative Update: Open Roads Ahead: Texas Legislature Clears the Jam,” Co-author, State Bar of Texas Bankruptcy Law Newsletter, November 2009

# Professional and Community Service

Bankruptcy 101 – Course Director – 2016, 2015, 2014, 2013

Veterans’ Bankruptcy Clinic – February 3, 2016

N.D. Bench Bar – Planning Committee – 2010, 2012, 2014, 2016, 2018

Texas Bankruptcy Bench Bar – Planning Committee – 2017, 2019

Altrusa – Member since 2016