



## Chelsea Smith

### Counsel

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**Chelsea Smith represents clients in several areas of complex litigation across the United States.**

In her commercial litigation practice, Chelsea focuses on creditors' rights, counseling clients on available remedies to assert greater leverage on defaulting entities, such as confession of judgment, execution against property, commercial and residential foreclosures, garnishment of accounts and income, and judgment debtor exams. She proactively protects clients' rights, seeks effective and practical solutions, and prevents the unjustified dissipation or transfer of assets to the fullest extent of the law. She also has experience litigating fiduciary duty claims and broker-dealer cases.

Complimenting her commercial litigation practice, Chelsea defends national class actions in a variety of areas, including consumer claims and warranty and product liability litigation. She is experienced in designing and coordinating discovery strategies, preparing protocols governing electronic discovery, managing document review teams, and identifying and preparing fact, corporate, and expert witnesses. Chelsea also has managed the administration of national class action settlements, including working with claims administrators and responding to objections to claims determinations.

In addition to her class action work and as part of her product liability practice, Chelsea works on the Tucker Ellis team that serves as national counsel for a large consumer appliance manufacturer in its dryer fire litigation. In this role, she manages product liability cases in federal and state courts throughout the country, and manages a dispute resolution program.

An accredited Fire and Explosion Investigator (CFEI) certified by the National Association of Fire Investigators, Chelsea plays an active role in each phase of a fire-related claim, including attending scene inspections and laboratory examinations. She works closely with origin and cause experts to determine defense strategies that best suit clients' interests.

A Cleveland native, Chelsea enjoys cooking, running, and exploring all that the city has to offer.

### **Education**

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- The Ohio State University Moritz College of Law (J.D., cum laude, 2013); Ohio State Journal on Dispute Resolution, Editor; CALI Award for Academic Excellence in Employment Discrimination
- The College of William & Mary (B.A., magna cum laude, 2010)

### **State Admissions**

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- Ohio, 2013

### **Federal Admissions**

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- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio

### **Certifications**

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- Certified Fire and Explosion Investigator (CFEI)

### **Service Areas**

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- Business Litigation
- Class Action Litigation
- Insolvency & Workout
- Mass Tort & Product Liability
- Fire Litigation
- Educational Institutions

## Experience

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### *Commercial and Class Action Litigation*

- Defends a Board of Managers against breach of fiduciary duty claims
- Successfully defended a broker-dealer against federal, state, and common law claims of fraud, unsuitability, breach of fiduciary duty, negligent misrepresentation, and conversion
- Represents numerous colleges and universities in class action litigation involving injuries sustained by college athletes
- Represents a leading manufacturer of flushable wipes in class actions alleging violations of various consumer statutes and breach of warranty and seeking national injunctive relief

### *Insolvency & Workout Litigation*

- Facilitates real estate liquidation and collateral management
- Advises lenders and trade creditors on cost-effective loss mitigation
- Exercises the full range of commercial collection options and special asset resolution processes

### *Product Liability Litigation*

- Secures pre-suit dismissals after successfully defending liability of consumer products at fire scene inspections and laboratory examinations
- Obtained summary judgment on behalf of an appliance manufacturer on failure to warn claims
- Obtained dismissal of design defect claims for a product manufacturer on the basis of personal jurisdiction

## Publications & Events

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### SPEAKING ENGAGEMENTS

- “Interplay Between Counsel and Fire Investigators,” DRI’s 2021 Fire Science and Litigation Seminar (September 2021)
- “Take a Chance on Me: Bringing the Next Generation Into Your Practice,” Women in Product Liability Regional CLE Program, Washington, D.C. (October 2018)
- “Ethical Considerations in Researching Jurors – An Update,” Tucker Ellis Ohio Professional Conduct Program, Cleveland, Ohio (December 2015)

### PUBLICATIONS

- “[Clawback Provisions](#)” and “[409A Litigation](#),” *Executive & Director Compensation Reference Guide*, Bloomberg Law (2020)
- “[The Un-Easy Street of Class Action Settlements: Strategies for Preventing and Mitigating Fraud in Claims Administration](#),” ABA Section of Litigation, Class Actions & Derivative Suits (September 2019)
- “[Best Practices for Using an Origin and Cause Expert](#),” *Sound Advice*, ABA Section of Litigation (July 2019)
- “[Don’t Let License Rules Snuff Out Your Fire Expert](#),” *Law360* (May 2019)
- “[Using Your Cause-And-Origin Expert’s Expertise](#),” *Law360* (March 2016)
- “[Think That Liquidated Damages Provision You Just Agreed to Is Unenforceable? Think Again.](#),” Tucker Ellis Client Alert (March 2016)
- “[Supreme Court of Ohio to Hear Case Addressing Subcontractor Horizontal Immunity](#),” Tucker Ellis Client Alert (August 2015)

### Honors

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- Ohio Super Lawyers Rising Stars® (2018-2021)

### In the Community

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- United Cerebral Palsy of Greater Cleveland, Board of Directors
- Defense Research Institute, Fire Science and Litigation
- National Association of Fire Investigators (NAFI)
- American Bar Association, Women in Product Liability
- Cleveland Metropolitan Bar Association
  - » Court Rules Committee
- Cleveland Metropolitan School District
  - » Mock Trial Competition Coach, John Hay High School
- College Now
  - » Emerging Leaders Program
  - » Mentor