



Michael S. Smith

Partner

msmith@preti.com

207.791.3000

Mike is a trial lawyer who maintains a national practice focused on class action and whistleblower litigation and regulatory issues affecting healthcare providers. He serves as chair of the firm's Recruitment Committee.

As a litigator, Mike routinely plays a key role in some of the largest class actions in the country, including *In re Automotive Parts Antitrust Litigation* (more than \$300 million in settlements to date), *In re: Broiler Chicken Antitrust Litigation* (more than \$100 million in settlements to date), and *In re: Farm-Raised Salmon and Salmon Products Antitrust Litigation* (\$85 million in preliminary settlements). He also helps whistleblowers expose fraudulent conduct that violates the False Claims Act and other federal and state laws. On behalf of his clients, Mike has filed whistleblower complaints with the SEC and the IRS and regularly assists the Department of Justice in investigating and litigating *qui tam* fraud cases across the country. Locally, Mike defends businesses and not-for-profit organizations in commercial litigation and administrative proceedings throughout Maine.

Mike's healthcare practice centers on representing hospitals, nursing homes, rehabilitation centers, behavioral healthcare providers, and other organizations in connection with certificates of need, responding to MaineCare and private insurer audits, and administrative appeals involving the Maine Department of Health and Human Services. Mike also assists clients with the state procurement process, having successfully represented numerous bidders in appealing or confirming state contract awards.

Before joining Preti Flaherty, Mike practiced in the New York and Boston offices of Wilmer Cutler Pickering Hale and Dorr LLP, an international law firm. He previously served for six months as a Special Assistant District Attorney in the Middlesex District Attorney's Office in Massachusetts. During that time, he tried a variety of cases to juries and judges, including felony narcotics distribution, felony bank theft, and a domestic violence incident.

Mike's achievements for his clients have received national recognition. Since 2019, *Benchmark Litigation* has named him to its "40 & Under Hot List" for his accomplishments in the field of antitrust litigation, which included the negotiation of class action settlements totaling in excess of \$20 million. *Super Lawyers* has consistently listed him as a "New England Rising Star."

Mike grew up in Whitefield, Maine, and now lives in the Portland area. Prior to moving

Services

- [Antitrust & Competition](#)
- [Government Procurement](#)
- [Health Law](#)
- [International Commerce](#)
- [Litigation](#)
- [Securities](#)
- [White Collar Defense & Government Investigations](#)

home to Maine, he and his wife completed a trip around the world, visiting countries in Africa, Asia, and the Pacific.

Admissions

- Maine
- Massachusetts
- New York
- U.S. District Court, District of Maine
- U.S. District Court, District of Massachusetts
- U.S. District Court, Eastern District of Michigan
- U.S. Court of Appeals, Sixth Circuit

Education

- Boston College Law School (J.D., *cum laude*, 2007)
 - Executive Editor, Boston College Environmental Affairs Law Review
- Boston College (B.A., *magna cum laude*, 2004)
 - Political Science; History

Professional Activities

- Cumberland Bar Association, Board Member and Past President
- American Bar Association Antitrust Section, Member
- Complex Litigation E-Discovery Forum, Participant

Honors & Recognition

Listed as *Super Lawyers* "New England Rising Star" 2015 - 2021

Listed in *Benchmark's* "40 & Under Hot List" 2019 - Present

Civic and Charitable Activities

- Maine Development Foundation, Leadership Maine (Omega Class)

News

October 11, 2022

Fifteen Preti Flaherty Attorneys Selected for Inclusion in 2022 Super Lawyers

November 19, 2021

Preti Flaherty Recognized as 2020 Top Law Firm by Antitrust Annual Report

October 12, 2021

Nineteen Preti Flaherty Attorneys Selected for Inclusion in 2021 Super Lawyers

March 31, 2021

Benchmark Litigation Names Preti Flaherty 2021 "Maine Firm of the Year"

October 13, 2020

Twenty Preti Flaherty Attorneys Selected for Inclusion in 2020 Super Lawyers

September 4, 2020

Federal Indictments Follow Long-Running Antitrust Class Action in Ready-Mix Concrete Industry

March 25, 2020

Preti Flaherty Attorney Michael S. Smith Elected President of Cumberland Bar Association

October 17, 2019

Eighteen Preti Flaherty Attorneys Selected for Inclusion in 2019 Super Lawyers

October 18, 2018

Twenty Preti Flaherty Attorneys Selected for Inclusion in 2018 Super Lawyers

October 17, 2017

Nineteen Preti Flaherty attorneys selected for inclusion in 2017 Super Lawyers

January 1, 2017

Preti Flaherty Promotes Attorneys Michael S. Smith to Partner and Nathan R. Fennessy to Director

October 21, 2016

17 Preti Flaherty Attorneys Recognized by Super Lawyers

October 19, 2015

16 Preti Flaherty Attorneys Recognized by New England Super Lawyers

June 1, 2015

Matt Warner and Mike Smith Prevail in Federal Jury Trial for Maine Liquor Distillery Equipment Manufacturer

December 21, 2012

Attorney Michael Smith Joins Preti Flaherty

Press Coverage

May 26, 2022

Five Major Norwegian Salmon Companies Agree to \$85 Million Settlement in Antitrust Case

February 24, 2020

6th Circ. Says Auto Parts Co. Can't Arbitrate Price-Fixing Suit

March 6, 2019

New contract appeal may further delay Maine's rollout of marijuana sales

July 9, 2018

Furukawa, Mitsubishi To Pay \$19.6M To End Antitrust Claims

January 18, 2017

Yazaki Settles Car Parts Antitrust Claims For \$212M

December 7, 2016

Preti Flaherty Attorneys from Midcoast recognized

November 28, 2016

Bridgestone Class Action Alleges Anti-Vibration Rubber Parts Price-Fixing