



## Michael S. Smith

Managing Partner

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Mike is a trial lawyer who maintains a national practice focused on antitrust class action and whistleblower litigation. He also serves as Preti Flaherty's Managing Partner, with responsibility for overseeing all aspects of the firm's operations and, along with the Management Committee and Chief Operating Officer, setting strategic goals and operational objectives for the firm.

Mike's class action practice centers on plaintiff-side antitrust litigation. He routinely represents plaintiffs in some of the largest antitrust class actions in the country, including *In re Delta Dental Antitrust Litigation*; *In re Apple Inc. Smartphone Antitrust Litigation*; *In re FICO Antitrust Litigation*; *In re Automotive Parts Antitrust Litigation* (more than \$300,000,000 in direct purchaser settlements); *In re: Broiler Chicken Antitrust Litigation* (more than \$100,000,000 in indirect purchaser settlements to date); and *In re: Farm-Raised Salmon and Salmon Products Antitrust Litigation* (\$85,000,000 in direct purchaser settlements). Mike has represented a wide range of individuals and businesses in these cases.

Mike also helps whistleblowers expose fraudulent conduct that violates the False Claims Act, the Stark Law, and other federal and state laws. On behalf of his clients, he 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. He led a team of Preti Flaherty attorneys and paralegals that represented the whistleblower in *United States and the State of Indiana ex rel. Thomas Fischer v. Community Health Network, Inc., et al.*, No. 1:14-cv-1215 (S.D. Ind.), in which the whistleblower's claims settled for a total of \$480,000,000. That was, by a wide margin, the largest total settlement amount for a case of its kind in U.S. history.

Locally, Mike defends businesses, healthcare providers, and not-for-profit organizations in commercial litigation and administrative proceedings throughout Maine.

Before joining Preti Flaherty, Mike practiced in the New York and Boston offices of WilmerHale LLP, an international law firm. He previously served 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.

## Services

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

Mike's achievements for his clients have received national recognition from both *Benchmark Litigation* and *Super Lawyers*.

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

## **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, Former President and Board Member
- American Bar Association Antitrust Section, Member
- Complex Litigation E-Discovery Forum, Participant

## **Honors & Recognition**

Listed as *Super Lawyers* "New England Rising Star" 2015 - 2022

Recognized by *Benchmark Litigation* on its "40 & Under Hot List" and as a "Future Star"

## **Civic and Charitable Activities**

- Maine Development Foundation, Leadership Maine (Omega Class)