



## **BARBARA A. SMITH TYSON**

**Partner**

**St. Louis**

**Partner and Co-Chair, Appellate and Supreme Court Group**

**E:** [barbara.smith@bclplaw.com](mailto:barbara.smith@bclplaw.com)

**T:** [+1 314 259 2367](tel:+13142592367)

## **BIOGRAPHY**

Barbara is a co-chair of the Appellate and Supreme Court Group at BCLP. She is an experienced trial and appellate litigator who counsels clients through their most sensitive and challenging litigation issues, and she routinely handles politically sensitive matters and aggressively advocates for early and complete victory. Her diverse client base—she has represented politicians, Fortune 500 companies, foreign sovereigns, and boards of directors—share one thing in common: They need a strong advocate, and they want to win.

## **CLERKSHIPS**

- Supreme Court of the United States, Justice Samuel A. Alito, Jr., 2015-16

- United States Court of Appeals for the District of Columbia Circuit, Judge Thomas B. Griffith, 2012-13

## CIVIC INVOLVEMENT & HONORS

*The Best Lawyers in America®: Ones to Watch*, Appellate Practice and Commercial Litigation, 2021-2025

*Law360*, Top 40 under 40: Appellate, 2024

## PROFESSIONAL AFFILIATIONS

- The Federalist Society
- The American Inns of Court, Temple Bar Scholar
- Adjunct Professor, Washington University School of Law

## FEDERAL AND STATE COURT EXPERIENCE

Barbara practices—and wins—at all levels of the federal and state courts. Before the United States Supreme Court, Barbara has represented clients filing petitions for certiorari, opposing certiorari, and she has filed merits briefs. She has also represented amici at the certiorari and merits stages.

At the trial court level, she routinely briefs and argues complex dispositive motions in anticipation of defending those victories on appeal. She also has first chair trial experience. On complex trial teams, she has acted as appellate preservation counsel. An experienced appellate advocate, Barbara has notched victories in state and federal appellate courts, including at the United States Supreme Court.

Because some of her clients prefer confidential ADR to public civil litigation, Barbara also has alternative dispute resolution experience, including winning a major arbitration victory for a petitioner-client and successfully mediating a case that (before her involvement) had previously been pending in the court system for more than a decade.

As an example of Barbara's value-add, she recently crafted a novel standing argument that she briefed and won on a motion to dismiss a putative class action challenging a \$198 million transaction in federal court. By winning on a motion to dismiss, she saved her client the time and cost of discovery. Barbara then successfully defended the victory on appeal—after briefing, the petitioner agreed to voluntarily dismiss the appeal and the case ended.

Among other issues, she has litigated questions of constitutional law, statutory construction, administrative law, securities law, labor and employment, white collar crime, ERISA, bankruptcy, and sovereign debt.

Before joining BCLP, Barbara served as a law clerk to Justice Samuel A. Alito, Jr. on the United States Supreme Court and Judge Thomas B. Griffith on the United States Court of Appeals for the D.C. Circuit. She also previously practiced at a Supreme Court litigation boutique, where she represented clients before the United States Supreme Court and various federal courts of appeal.

In her free time, Barbara teaches a class on the United States Supreme Court as an adjunct law professor at Washington University in St. Louis. She also serves on the Steering Committee for the St. Louis Chapter of the Federalist Society.

Barbara earned her J.D. from Stanford Law School, where she was the Editor-in-Chief of the *Stanford Journal of Law, Business, and Finance*, the President of the Federalist Society, and a member of the law school's student government. While in law school, Barbara was a moot court semi-finalist and a teaching assistant at Stanford Law School and Stanford's Graduate School of Business.

Prior to attending law school, Barbara spent two years in the White House Counsel's Office working for President George W. Bush. She graduated *magna cum laude* and with honors, from Wake Forest University, with a B.A. in economics and political science.

## **ADMISSIONS**

- District of Columbia, 2014
- Missouri, 2013

## **EDUCATION**

Stanford Law School, J.D., 2012

Wake Forest University, B.A., magna cum laude, with honors, 2006

## **RELATED CAPABILITIES**

- Business & Commercial Disputes
- Real Estate
- Real Estate Disputes
- M&A Disputes
- ERISA & ESOP

- Litigation & Dispute Resolution
- Appellate

## RELATED INSIGHTS

Insights

Mar 06, 2025

### **Treasury Suspends CTA Enforcement Against U.S. Citizens and Companies; Federal District Court Declares CTA Unconstitutional**

On March 2, 2025, the Treasury Department announced that it will not enforce any penalties or fines associated with the beneficial ownership information reporting rule under the existing regulatory deadlines or forthcoming rule changes for U.S. citizens, domestic companies, and their beneficial owners. And, the day after the Treasury made its announcement, a federal district court in Michigan declared the CTA's reporting requirements unconstitutional under the Fourth Amendment's prohibition against unreasonable searches. The CTA, however, still remains in full force and effect, and regardless of the guidance on enforcement, it is not clear the legal requirement to report will change. Prudent companies should continue to be prepared to comply with the reporting requirement by March 21.

Insights

Feb 19, 2025

### **The Corporate Transparency Act is Back in Effect — but the New March 21, 2025, Reporting Deadline Remains Uncertain**

Insights

Feb 10, 2025

### **FinCEN Provides Guidance to Reporting Companies in Wake of Second Appeal to Fifth Circuit**

Insights

Feb 06, 2025

### **Litigation trends for 2025: what will this year hold for business and commercial disputes?**

We explore the trends for Business and Commercial Disputes in the UK, US and France/EU in 2025. Here's what you should know. UK In the spotlight: corporates asserting privilege against shareholders Continued focus on litigation funding Increase in open justice Easier enforcement Court-compelled Negotiated Dispute Resolution – watch this space France Rise of mass claims in France and rise of class actions in France and the EU The new EU product liability directive adopted on October 11, 2024 Rise of ESG related claims US More M&A deals means more post-closing disputes? Head off rising number of workplace issues with internal investigations Disclosure of litigation funding in the United States

Insights

Jan 24, 2025

### **SCOTUS Stays Nationwide Injunction of the CTA; But Different District Court Nationwide Stay of Reporting Deadline Still in Effect and Submissions are Voluntary**

Insights

Jan 03, 2025

## **Corporate Transparency Act Update: FinCEN Asks SCOTUS to Intervene**

Insights

Dec 31, 2024

### **To File, or Not to File: The Fifth Circuit's Evolving Treatment of the Corporate Transparency Act**

Insights

Dec 23, 2024

### **California Amends Its Sweeping Venture Capital Demographic Reporting Rule**

Insights

Dec 17, 2024

### **Reporting companies may face a last-minute scramble to comply with the Corporate Transparency Act due to accelerated appellate timeline related to the preliminary injunction**