



**Candace B. Smith** | Member

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**LICENSURE** KY  
**EDUCATION** J.D. Wake Forest University

Candace Smith practices in the areas of general and energy litigation. Candace is a key player in defending firm clients and is often involved in litigation from the inception, including pre-case assessment and litigation planning. Recently, Smith has briefed appeals for matters in the Sixth Circuit, as well as in Kentucky state court on behalf of both appellant and appellee.

Clients in the energy industry appreciate her ability to act quickly, while keeping their business interests at the forefront. Candace has a unique skillset and is comfortable in the court room, interviewing witnesses and taking depositions, and researching complex lease and royalty issues. Candace recently completed the University of Virginia Trial Academy.

### REPRESENTATIVE EXPERIENCE

Served as second chair for trials in state and federal court and managed extensive pretrial discovery, motion and brief drafting, and witness preparation

Litigated oil and gas well and pipeline claims on surface use, ownership, drilling rights, breach of contract, royalty payments, and lease interpretation

Represented oil and gas company operator in matter involving mineral trespass and accusation of depletion of oil and gas reserves

Defended trespass actions involving well sites and pipeline locations for natural gas operations

Handled claims for surface property damage as a result of oil and gas drilling operations

Obtained dismissal due to lack of jurisdiction in a royalty dispute for oil and gas operator company

Litigated personal injury matter for international nonprofit organization and obtained summary judgment, resulting in dismissal

Interviewed and deposed dozens of key witnesses in matters involving workplace safety, discrimination, and personal injury for mine operators

Represented individual and corporate interests in a wide variety of tort, breach of contract, and employment discrimination claims

Represented insurance carrier on an uninsured motorists claim involving personal injury

Negotiated with the Federal Mine Safety and Health Administration regarding civil penalties for citations

Defended recreational business in products liability paraplegia law suit

Represented mining companies on a variety of MSHA matters, including 105(c) complaints, flagrant violation challenges, 110(c) investigations, and general Mine Act compliance training

Assisted national retail store in enforcing company-wide arbitration clause in employment discrimination suit

## **WORK EXPERIENCE**

2013                      Steptoe & Johnson PLLC

## **RECENT PUBLICATIONS / SPEAKING ENGAGEMENTS**

“Property Owner Owes No Legal Duty to Neighboring Cattle Farmers for Harm Caused by Poisonous Yew Bushes,” for Cow Country News (December 2019)

“Default Method for Calculating Royalties in KY, WV, PA, VA,” Southern Appalachian Association of Professional Landmen, December 2016

## **MEMBERSHIPS AND AWARDS**

### **PROFESSIONAL**

Member, Central Kentucky American Inn of Court

Business Editor, Wake Forest Law Review

### **INDUSTRY/CIVIC**

Completed the University of Virginia Trial Academy (2019)

Kentucky Coal Association

Graduate, Leadership Lexington, 2017

Junior League of Lexington, 2014-2015

Board, Living Arts & Science Center H'artful of Fun, 2013-2014

Step-By-Step Board of Directors

Member, Junior League of Winston-Salem, 2012-2013