



E. Tyler Smith Shareholder

Tyler Smith represents parties in complex financial transactions. Mr. Smith has served virtually every major financial institution in the Southeast, as well as borrowers of all types, in connection with conventional loans as well as letters of credit and other credit enhancements to taxable as well as tax-advantaged financings such as bond issues and deals eligible for other beneficial tax treatment such as New Market Tax Credits and other benefits.

His clients include public and private corporations, hospitals, financial institutions, educational institutions of all levels and 501(c)(3) community agencies, spanning from the coast of South Carolina to the coast of California.

Mr. Smith also has extensive experience in interest rate swaps and other derivative transactions, as well as complex investment products such as guaranteed investment contracts, securities forward delivery agreements, repurchase agreements and equity linked notes, at a level that is rarely found outside of major money center law firms, having been involved in a wide array of transactions involving as much as hundreds of millions of dollars. Mr. Smith is the co-author of the book, soon to be released, entitled *Interest Rate Swaps for the General Bond Practitioner: Basic Structures, Documentary and State Law Issues*. His advice on these matters is sought by clients throughout the United States.

His relationships with representatives of local, regional and global financial institutions, financial advisory firms as well as organizations such as the National Association of Bond Lawyers and the International Swaps and Derivatives Association, Inc. (ISDA®), connect Mr. Smith to a network of information and knowledge of industry practices which he regularly incorporates into his practice.

Mr. Smith's undergraduate and graduate level education in mathematics, economics and law, together with extensive transactional experience, make him singularly well positioned to understand complex economic transactions and to advise clients as to a breadth of potential transaction structures, options, risks and solutions.

Mr. Smith is a leader in the legal community on a national level. Mr. Smith regularly advises on matters ranging from smaller deals to those involving hundreds of millions of dollars, for public and private clients both within (and including) the State of South Carolina as well as transactions undertaken in states across the nation.

Recent matters include:

- Advising multiple healthcare, educational, governmental and other entities as to agreements for the investment of project funds, debt service funds and reserve funds in amounts aggregating in the \$100,000,000's.
- Serving as special swaps counsel to a San Francisco-based nonprofit organization in the entering of two interest rate swaps in the aggregate notional amount of \$100,000,000.
- Advising a substantial number of clients as to their options under interest rate swaps and reinvestment agreements, in light of the impacts of the 2008 financial crises, the bankruptcies of Lehman Brothers and its subsidiaries and general concerns over the credit standing of swap and investment providers.
- Serving as special swaps counsel to a state in connection with the restructuring of derivative transactions having combined notional amounts of over \$360,000,000.

Mr. Smith's national level professional involvement is demonstrated by involvements including:

- Steering Committee of the National Association of Bond Lawyers (NABL) Bond Attorneys Workshop in Chicago from 2005-2007.
- Chair, NABL Bond Attorneys Workshop panel on Interest Rate Swaps and Related Transactions from 2005-2007.
- Vice Chair, NABL Fundamentals of Municipal Bond Law in Atlanta in 2008.
- Chair, NABL Fundamentals of Municipal Bond Law in Memphis in 2009.
- Southeastern counsel to The Bank of New York in connection with its role as trustee in a major industrial development bond program.
- Regular speaker on topics including industrial development bonds, non-healthcare and 501(c)(3) issues and interest rate swap transactions.
- Speaking before businesses, governments and conferences concerning financial derivatives and reinvestment contracts at locations across the United States.

Mr. Smith is recognized in *The Best Lawyers in America*® - Public Finance Law. He is dedicated to the tradition of public finance attorneys in protecting the best interests of both his clients and the public.

EMAIL tsmith@hsblawfirm.com
PHONE 864.240.4543
FAX 864.240.3300

75 Beattie Place, 11th Floor
Greenville, SC 29601

P.O. Box 2048
Greenville, SC 29602

INDUSTRY

Financial Services
Commercial Banks
Investment Banks
Government, Utilities & Nonprofits

PRACTICE

Governmental Practice
Public Finance
Financial Derivatives
Nonprofit Finance

EDUCATION

Duke University, J.D., 1994
Duke University, M.A., 1994
Wake Forest University, B.S., 1991

ADMISSIONS

North Carolina, 1994
South Carolina, 1994

PROFESSIONAL AND CIVIC ACTIVITIES

National Association of Bond Lawyers
South Carolina Bar
Upcountry History Museum (board member)
Loaves and Fishes Food Ministry (vice chairman)