



## *Tiffany J. Smith*

### **PARTNER**

Co-Chair, Blockchain & Cryptocurrency Working Group

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Tiffany J. Smith has over a decade of experience advising and representing broker-dealers and other financial institutions, including financial technology companies, regarding compliance with the federal securities laws and regulations and the rules of the self-regulatory organizations. Ms. Smith's practice primarily focuses on four areas: (i) broker-dealer regulatory compliance, (ii) cryptocurrency regulatory compliance, (iii) representing clients in connection with enforcement matters and regulatory examinations, and (iv) providing regulatory advice in connection with corporate transactions.

With respect to broker-dealer regulatory compliance, Ms. Smith often advises clients on newly adopted rules and areas of increased regulatory focus, including the rules on market access, securities trading and market activities, short sales, and issuer repurchases. Ms. Smith also has experience advising clients on the regulatory implications of new and emerging technologies (e.g., blockchain) and helping clients navigate the regulatory hurdles associated with these technologies. In addition, she counsels clients on triggers for broker-dealer registration, including those related to offshore activities and those related to the activities of financial technology companies. Finally, Ms. Smith has helped clients comment on proposed Securities and Exchange Commission (SEC) and Financial Industry Regulatory Authority (FINRA) rules, and represented clients seeking relief from adopted rules through the SEC and FINRA exemptive relief processes and the SEC no-action process.

With respect to cryptocurrency regulatory compliance, Ms. Smith regularly advises cryptocurrency market participants including exchanges, custodians, NFT issuers and platforms, and technology providers. She has experience advising firms on the applicability of regulations to products, developing compliance programs and procedures, and advising clients through licensing processes including with state and federal banking regulators and the SEC.

Ms. Smith has experience representing clients in connection with regulatory examinations, SEC, FINRA and state enforcement matters and inquiries, and the FINRA MC-400 Membership

Continuance Process; and conducting internal investigations.

Ms. Smith often serves as regulatory counsel in connection with corporate transactions involving broker-dealers, performs due diligence in connection with investments in cryptocurrency firms and NFT platforms, advises clients through the FINRA new and continuing member application processes, and counsels clients on the triggers for filing a FINRA continuing member application.

At the firm, Ms. Smith has been active on the Diversity Committee, Hiring Committee, Pro Bono and Community Service Committee, and various volunteer-based initiatives. From 2016–2019, she was co-chair of firm's New York summer associate program.

While in law school, Ms. Smith was a Compliance Audit Specialist for M&T Securities. She audited personnel to ensure compliance with internal, federal and self-regulatory organization rules, and held the following securities licenses: Series 6, 7, 24, 53, 63 and 65. Ms. Smith also interned at the Investment Management Division of the SEC and the Litigation Department at FINRA.

## *Professional Activities*

Ms. Smith frequently speaks on cryptocurrency and diversity at conferences and client events, and has been featured in a number of publications regarding these topics including NPR, the Business Insider and *Chambers Associate*. Ms. Smith also is an adjunct professor at Emory University School of Law, where she teaches Securities Regulation. Ms. Smith was appointed to *Law360's* FinTech Editorial Advisory Board for 2024.

In 2014, Ms. Smith completed the Council of Urban Professionals Executive Leadership Program, a year-long leadership development program comprised of leadership training, coaching and keynote conversations with executives, and is a 2020 Leadership Council on Legal Diversity (LCLD) Fellow. Ms. Smith is also a member of the Wall Street Blockchain Association, the New York City Bar, the National Bar Association, the Metropolitan Black Bar Association and the LGBT Bar Association of New York; and on the Board of the Legal Aid Society.

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## *Solutions*

Artificial Intelligence

Broker-Dealer Compliance and Regulation

Financial Services Investigations

Bank Regulation and Enforcement

Consumer Financial Services

FinTech

SPAC (Special Purpose Acquisition Company) Transactions

Blockchain and Cryptocurrency

Cross-Border Investigations and Compliance

Futures and Derivatives

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## Recognition

- Ranked by *Chambers FinTech USA 2024* in the area of FinTech Legal: Blockchain & Cryptocurrencies, sources say that "Tiffany is responsive, professional and a subject matter expert. She is also good at corralling the right people across the firm to step in on issues." "She is very knowledgeable, practical and strategic in her advice." "She is great at navigating the grey areas of FinTech and keeping in touch and keeping up to date. She is very responsive as well."
- *Crain's New York Business* Notable Women in Law List, 2023
- Recognized as a "Next Generation Lawyer" in the area of Finance: FinTech by *The Legal 500 United States*. Sources say that Ms. Smith "really leads the way for the firm's FinTech practice and consistently provides critical advice on cutting edge issues that often have no clear answer or even legal basis (when it comes to emerging crypto and blockchain issues). Her advice spans the range of the firm's fintech practice, from transactional issues to registrations to enforcement to policy developments, and is my go to for any pressing matters."
- Named to *The American Lawyer's* list of "Northeast Trailblazers," 2022
- Recognized as a "Rising Star" in the 2015–2021 editions of *New York Super Lawyers*
- *Minority Corporate Counsel Association (MCCA)* Top 20 Rising Star, 2020
- *New York Law Journal's* Rising Stars List, 2020
- National Bar Association 40 Under 40: Nation's Best Advocates List, 2020
- Recognized as a "40 Under Forty" Achiever by *The Network Journal*, 2019
- Pro Bono Publico Award, Legal Aid Society, 2015
- Volunteer Appreciation Award, WilmerHale, 2011

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## Credentials

### EDUCATION

JD, The George Washington  
University Law School, 2008

*with honors*

BBA, The George Washington  
University, 2004

### ADMISSIONS

District of Columbia

New York