



SMITHERS + UME-NWAGBO, LLC

YOUR TRUSTED 360° GENERAL COUNSEL®

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Construction•Commercial•Premise Liability•Contract Review/Negotiation•General Counsel Services

Roxann Smithers has a hybrid practice providing corporate, litigation, and general counsel representation to small and mid-sized businesses and nonprofits.

A Super lawyers Magazine Georgia Rising Star, 2012, 2014-2016, Roxann has developed a nationwide practice ranging from commercial matters, construction law, and premise liability defense. Representative clients include owners, suppliers, general contractors, and subcontractors of all sizes at different stages of the construction process. She regularly advises clients during contract reviews and negotiation (both private and public contracts), lien/bond claims and dispute resolution. Consulting firms, hospitality providers, restaurateurs, application developers, cyber retailers, and property owners have sought Roxann's counsel for formation, investment agreements, business divorces, breach of contract, collections, contract drafting, and negotiation, property acquisitions, and personal injury/premise liability defense. She serves as general counsel and second chair on court appointed receiverships.

Roxann has an expertise in litigating matters in multiple state and federal jurisdictions across the country. As part of her practice, she served as regional outside counsel for a Fortune 100 construction company representing the company in various capacities as a general contractor, subcontractor, and supplier in more than 13 states. Ms. Smithers also represents hospitality providers and other property owners in premise liability litigation within the state of Georgia. She has successfully represented clients before magistrate, state/superior and federal courts, including the Georgia Court of Appeals against slip/fall, malicious prosecution, food borne illness and personal injury claims.

Ms. Smithers is passionate about legal education for entrepreneurs and business owners. She partners with Access to Capital for Entrepreneurs, the Small Business Administration, and Club E Atlanta to present on corporation formation, dispute resolution, contract drafting, and liability management.

A native of Akron, OH, Roxann earned a B.A. in African-American Studies and a J.D. from Columbia University.

She is admitted to practice in Georgia and is admitted to practice before all Georgia state courts, the U.S. District Court for the Northern and Middle Districts of Georgia and the U.S. Court of Appeals for the 11th Circuit. Roxann is a member of the State Bar of Georgia and the Georgia Association of Black Women Attorneys.

Ms. Smithers is on the Board of Governors of the City Club of Buckhead. She served as President of the Columbia Club of Atlanta for 7 years and remains the Alumni Representative Chair for the State of Georgia. Roxann also serves on the Board of Directors for the Columbia University Alumni Association and the Columbia College Alumni Association. In 2015, Roxann became Columbia's youngest Alumni Medalist recipient.

Previously, Roxann served as Chairperson of the Board of Directors of Children's Burial Assistance, Inc. and as a Trustee of Providence Missionary Baptist Church.

In her spare time, Roxann is an avid golfer, tennis player, and swimmer who enjoys travel, literature and retail therapy. She is the proud parent of a lovable (to most people) dog, Owen.



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PRACTICE AND SERVICE AREAS

CONSTRUCTION

S+U represents owners, general contractors, subcontractors, and suppliers in the construction industry. The construction law services include preservation and enforcement of lien, payment bond and performance bond rights. Clients look to S+U for superior legal services with delay and defects claims, as well as warranty issues. S+U advises clients on drafting, reviewing, and negotiating construction contracts, including standard AIA and DBIA forms. S+U assists its clients with submission of bids, request for proposals, and request for qualifications.

COMMERCIAL

S+U provides comprehensive commercial litigation services. S+U assists clients with collections litigation including garnishments. Representative matters include breach of contract, collection of liquidated damages on capacity contracts, contract enforcement.

PREMISE LIABILITY

Property owners, hospitality companies, and other business that are open to the public have unique legal responsibilities and exposure to legal claims. S+U has represented property owners, including a hospitality chain in connection with claims brought by guests, invitees, and licensees to the property. Representative claims include slip/fall claim, injuries involving elevators, food borne illness, miscellaneous personal injury, and malicious prosecution.

CONTRACT REVIEW AND NEGOTIATION

Contractual agreements serve as the roadmap for every business relationship. Both suppliers and customers must take care that their rights and obligations are memorialized in the written agreements. S+U provides comprehensive contract services. When the client can dictate the contract form, S+U can help develop and draft contractual agreements for repeat use for the provision of standard services and products. S+U can provide modifications and riders to standard industry contracts such as the AIA contracts of the construction industry. When the customer cannot dictate the contract form, S+U will review and negotiate contracts on behalf of its clients. Finally, S+U can assist clients with responses to Request for Proposals and Request/Invitation for Bids.

GENERAL COUNSEL SERVICES

Every successful company needs sound legal counsel whether it is in active litigation or not. S+U advises its corporate clients on a myriad of legal issues, including compliance with regulatory law and research regarding legal limits on business strategies and tactics. S+U advises clients regarding contract compliance and enforcement. S+U counsels clients regarding property and asset acquisitions.