

# TRAILBLAZERS

## PLAINTIFFS' LAWYERS

### CY SMITH

ZUCKERMAN SPAEDER LLP



**PIONEER SPIRIT** Cy Smith worked for a large Washington, D.C., firm before joining Zuckerman Spaeder. “When I started here in 1990, Zuckerman was primarily a white-collar defense boutique. It became clear to me I would have trouble growing that kind of practice. But I had a couple of contingency fee cases, and I have been mostly on that side ever since.” He practices across multiple areas, including a current multidistrict litigation antitrust case against Blue Cross insurers. He also represents individuals, such as a businessman who was kidnapped in the Philippines.

**TRAILS BLAZED** Since 2006, Smith has been representing former NFL players who now have brain injuries. He began by advising former Pittsburgh Steeler Mike Webster in a claim with the NFL pension plan. “Since I had ERISA experience and the pension plan was based in Baltimore, Mike’s lawyer invited me to help. The evidence was overwhelming, so we filed a lawsuit. Defense counsel told us they never lost a case—that was basically their defense—but the judge ruled in our favor.” After their wins at trial and before the Fourth Circuit Court of Appeals, the issue of brain injuries for professional athletes became a high-profile matter, and Smith testified before Congress. He also recently won a case for former NFL player Jesse Solomon. “Someone added it up, and he had been hit more than 69,000 times. People realized it was happening right in front of them.”

**FUTURE EXPLORATIONS** The NFL has developed several different approaches to managing the PR issues and player risk of chronic traumatic encephalopathy (CTE). “The NFL has done a savvy job of delaying a problem that is inherent to the sport. We will see how society feels about that 10 years from now.”