

Scott P. Smalley

PARTNER

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As co-chair of the firm's Banking & Financial Services Practice Division, Scott advises clients on the interplay of finance and regulatory compliance that drives commerce and governs the business of banks and financial institutions.

Scott combines financial acumen with legal experience to advise banks, holding companies and other financial institutions. He focuses on finance transactions, mergers and acquisitions and regulatory compliance.

Scott advises lenders in real estate finance, construction lending, new markets tax credit finance, historic tax credit finance and working capital lines of credit. Committed to his clients and the community, Scott obtained a wildcard letter from the Missouri Division of Finance authorizing Missouri banks to establish and invest in first and second tier bank operating subsidiaries to make new market tax credit loans to help spur community revitalization.

EXPERIENCE

Scott counsels clients in tax credit finance transactions, representing banks as lenders in connection with new markets tax credit financing of a manufacturing facility, industrial warehouses, the rehabilitation of historic buildings and an urban shopping center.

PRACTICES & INDUSTRIES

- Banking & Financial Services
- Commercial Lending
- Bank M&A and Capital Markets
- Real Estate Lending
- Distressed Commercial Real Estate

ADMISSIONS

- Missouri, 2005
- Kansas, 2006

EDUCATION

- University of Kansas, J.D., 2005
- Kansas State University, B.S., Accounting, 2002

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Well-versed in regulatory compliance for financial institutions, Scott advises clients before the Federal Reserve, OCC, FDIC and state regulators.

He steers financial institutions through the challenging regulations relating to flood insurance, appraisals, highly leveraged transactions (HLT), high volatility commercial real estate lending (HVCRE), community development investments, supervisory loan to value limitations, transactions with affiliates (Reg. W), and loans to insiders (Reg. O).

Scott counsels community banks on mergers, stock purchase agreements, asset purchase agreements and branch sales.

Professionally-focused, Scott is the editor of the Banking and Financial Services division's alerts and banking law blog, the Vault. He serves on the board of directors of the Kansas Bankers Association's Young Bank Officers of Kansas.

Community-focused, Scott was named Leukemia & Lymphoma Society's Man of the Year in 2009. In 2014, he served as chairman of the organization's largest fundraiser, which raised more than \$700,000.

RECOGNITIONS

Selected to the 2023, 2024 editions of *Best Lawyers in America*©

PROFESSIONAL & CIVIC ACTIVITIES

American Bar Association

The Missouri Bar

Kansas Bar Association

Kansas City Metropolitan Bar Association

Missouri Bankers Association

Kansas Bankers Association

- Young Bank Officers of Kansas, Ambassador Board Member

Leukemia & Lymphoma Society, Donor Development Committee

Volunteer Lawyers and Accountants for the Arts, Volunteer

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First Hand Foundation Masquerade Ball Court

United Way Young Leaders Society

NEWS

175 Stinson Attorneys Selected to the 2024 *Best Lawyers in America* List
08.17.2023

Stinson Ranked Among Top Firms in S&P Global's Year-End Banking Tables; Wraps Up 2022 with 12 M&A Transactions
03.29.2023

152 Stinson Attorneys Selected to the 2023 *Best Lawyers in America* List
08.18.2022

Stinson's Bank M&A and Capital Markets Divisions Wrap Up 2021 With 13 Transactions
02.01.2022

PUBLICATIONS

Contributor to "Secured Transactions" *Missouri Practice Series: Methods of Practice Transaction Guide*, Fourth Edition, West Publishing Company

"California Supreme Court Upholds Bank's Practice of Recouping Overdrafts from Direct Social Security Deposits," *Clarks' Secured Transactions Monthly*, Vol. 18, No. 4, April 2009

Scott is a frequent contributor to the Financial Services Division's monthly newsletter and alerts, writing articles on a wide variety of topics related to financial institution compliance.

"Save a Bunch of Money on FCRA Claims by Learning From Geico," *Clarks' Secured Transactions Monthly*, Vol. 23, No. 4, June 2007

"Federal Financial Regulatory Agencies Issue Guidance on Nontraditional Mortgage Product Risks," *Real Estate Finance*, Vol. 23, No. 4, December 2006

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