



Nick Spear

Partner

Los Angeles

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Overview

Nick Spear litigates high-stakes and high-profile matters across the United States, representing both plaintiffs and defendants and regularly facing-off against industry titans. Spear has tried cases in federal trial and appellate courts, state courts, and arbitrations across a variety of legal areas including intellectual property, securities, antitrust, breach of contract, insurance, oil and gas, bankruptcy, real property, personal injury, false claims, and employment. Spear's cases have been covered by the *Los Angeles Times*, the *Associated Press*, and numerous industry publications.

Spear's successes have garnered significant recognition, including Lawdragon's 500 X – The Next Generation in 2023 and 2024, Southern California Super Lawyers Rising Star (Thomson Reuters) from 2021–2024, Rising Stars of the Plaintiffs Bar by *National Law Journal's* Elite Trial Lawyers and Litigation Trailblazers by *National Law Journal* (ALM). Due to his active pro bono practice, Spear was also named a California Lawyer Attorney of the Year by *The Daily Journal* in 2023 for his work on behalf of a tenants' rights organization.

LANDMARK LITIGATION

Spear is at the forefront of protecting policyholders from improper insurance charges by the nation's largest insurers and has secured nearly \$300 million to date in recoveries after taking on insurance companies such as Voya, North American, Genworth, Phoenix, Midland, Wilton Re, and John Hancock. For example, in *PHT Holding II LLC v. North American Company for Life and Health Insurance* (S.D. Iowa), Spear secured a settlement valued at \$59 million (before fees and expenses) in a certified class action lawsuit alleging that North American overcharged policy holders for their universal life insurance. Likewise, in *Helen Hanks v. Voya Retirement Insurance and Annuity Co.* (S.D.N.Y.), Spear secured a deal valued at over \$118 million

(before fees and expenses), which included a \$92.5 million non-reversionary cash settlement fund, for thousands of insurance policy owners against Voya Retirement Insurance and Annuity Company over allegations that Voya improperly raised policyholders' cost-of-insurance charges. In *37 Besen Parkway LLC v. John Hancock Life Insurance Co.* (S.D.N.Y.), Spear helped secure a \$91.25 million all-cash, non-reversionary settlement for insurance policy owners against John Hancock Life Insurance Co over allegations that Hancock breached the life insurance contracts of the class (before fees and expenses). Read more [here](#) (subscription required). Spear also argued on behalf of the appellee in *TVPX Ars, Inc. v. Genworth Life and Annuity Insurance Co.*, which is pending in the United States Court of Appeals for the Eleventh Circuit. That argument is available [here](#).

In *State of California v. Cellco Partnership* (Sac. Super. Ct.), Spear served as co-lead counsel to some of the largest government entities in California—including the University of California system, the California State University System, and the County of Los Angeles—in a ground-breaking California False Claims Act lawsuit against several major wireless carriers. The carriers were alleged to have fraudulently overbilled their government customers for wireless services by failing to provide contractually required “lowest cost available” service. Spear played a key role in the matter, leading efforts to pursue the offensive case against AT&T. In total, the four telecommunications giants—AT&T, Verizon, Sprint, and T-Mobile—agreed pay \$175 million to the government plaintiffs in California and Nevada, including over \$50 million from AT&T alone (net settlement after fees and expenses not yet determined). These record-setting settlements are among the largest of their kind in California. Read more in the [Los Angeles Times](#)' coverage.

Spear also tries cases at the cutting edges of law, technology, and science. In *Jane Doe v. MindGeek USA Inc.* (C.D. Cal.), Spear represents a certified class of plaintiffs bringing sex trafficking and child pornography claims against one of the world's largest pornography companies. Spear is also active in digital assets and cryptocurrency litigation, representing a certified class bringing unregistered securities claims in *In re Ripple Labs* (N.D. Cal.) and being appointed counsel for Lead Plaintiff in *Houghton v. Leshner, et al.* (N.D. Cal.), a putative unregistered securities class action. Spear also represents a major research university in trade secret litigation relating to protein degradation

PRO BONO & COMMUNITY LEADERSHIP

Spear maintains an robust pro bono practice. He represents a tenant advocacy group helping defend the constitutionality of eviction protections for renters enacted by the City of Oakland and Alameda County in the wake of the COVID-19 pandemic. The [Daily Journal](#) profiled Spear and his colleagues for their work in this area and named them a [California Lawyer Attorney of the Year](#) in 2023 for their critical work. Read more in the [San Francisco Chronicle](#) and [Law360](#) (subscription required).

Spear is also actively involved in his legal community. He served as President of the Barristers/Young Attorneys section of the Los Angeles County Bar Association (LACBA) from 2023–2024, representing the interests of thousands of early-career attorneys across Los Angeles County. Spear also served on LACBA's Executive Committee and Board of Trustees from 2022–2024. He will serve as Past President of the Barristers/Young Attorneys section in 2024–2025 and will Co-Chair LACBA's New Attorneys Reception. Spear is also actively involved in the Judge Paul R. Michel Intellectual Property American Inn of Court and previously served on the [Advisory Board](#) of the Western Center on Law and Poverty where he has helped raise thousands of dollars to support Western Center's mission to protect California's most vulnerable citizens.

Spear has spent more than a decade as a counselor for the American Legion California Boys & Girls State program, one of the nation's premier governmental education programs for high school students, and currently serves as one of the program's Legal and Elections counselors. Spear also sits on the [Board of Directors](#) of the California Boys & Girls State Foundation.

BACKGROUND

Spear previously served as law clerk to the Honorable Andrew D. Hurwitz of the United States Court of Appeals for the Ninth Circuit and to the Honorable Philip S. Gutierrez of United States District Court for the Central District of California.

Spear earned his JD from University of Chicago Law School where he graduated order of the coif and with high honors, and his Bachelor of Arts degree from UCLA, where he graduated *cum laude* and Phi Beta Kappa

Honors & Distinctions

- Lawyer on the Fast Track, *The Recorder* ([2024](#), ALM)
- Lawdragon 500X – The Next Generation of Leading Lawyers ([2023](#), [2024](#))
- [California Lawyer Attorney of the Year](#), *Daily Journal* (2023)
- Recommended Lawyer, Energy Litigation: Oil & Gas, *The Legal 500* ([2022](#), Legalease)
- [Litigation Trailblazer](#), *National Law Journal's* Elite Trial Lawyers (2021, ALM)
- [Rising Star of the Plaintiffs Bar](#), *National Law Journal's* Elite Trial Lawyers (2021, ALM)
- Southern California Rising Star, Super Lawyers (2021, 2022, 2023, 2024 Thomson Reuters)
- Comments Editor, *The University of Chicago Law Review*
- Order of the Coif, University of Chicago Law School

- Kirkland & Ellis Scholar, University of Chicago Law School
- The Ann Watson Barber Outstanding Service Award, University of Chicago Law School
- The Thomas R. Mulroy Prize for Excellence in Appellate Advocacy and Oral Argument, University of Chicago Law School
- Phi Beta Kappa, UCLA

Clerkships

Honorable Andrew D. Hurwitz, United States Court of Appeals for the Ninth Circuit

Honorable Philip S. Gutierrez, United States District Court for the Central District of California

Education

The University of Chicago Law School (J.D., with High Honors, 2014)

- Order of the Coif

The University of California, Los Angeles (A.B., Political Science, cum laude, 2009)

- College Honors, Phi Beta Kappa

Admissions

Bar Admissions

- California
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Court Admissions

- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Central District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California

Leadership & Professional Memberships

- American Bar Association
- American Bar Foundation, Fellow
- Association of Business Trial Lawyers
- California Lawyers Association

SUSMAN GODFREY

- Federal Bar Association
- Judge Paul R. Michel Intellectual Property American Inn of Court
- Los Angeles County Bar Association, Executive Committee