

Nicholas Gross

Partner

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Nicholas (Nick) Gross has more than a decade of experience as a commercial litigator helping clients protect their interests and achieve their goals whether in the courtroom by obtaining favorable orders, awards, and judgments or in the conference room by helping to find business-driven, practical solutions. Nick prides himself on being a true collaborator with clients, keeping them informed and involved while he safely guides them through contentious disputes and tough decisions. Clients ranging from, health care facilities and administrators, banks, lenders, real estate developers, landlords, energy producers and utilities, as well as private and public entities, directors, officers, and other financial institutions come to Nick specifically for his legal creativity, deep understanding of industry complexities, and his ability to get the job done right.

Nick is a partner in Foley's Los Angeles office and is a member of the firm's Commercial Litigation Practice Group as well as the Energy and Health Care & Life Sciences sectors.

In health care, Nick addresses a wide range of litigation matters, including disputes over services and business agreements, regulatory compliance, billing and collections, payor liability and corporate governance or dissolution. He is particularly adept at managing complex cases involving difficult or novel legal issues, always ensuring that his clients receive considered and informed representation.

As a member of the firm's energy litigation team, Nick navigates the rapidly evolving landscape of regulatory compliance, contractual disputes, and environmental challenges. His experience spans conventional energy sources, renewable projects, electric vehicles, and emerging technologies, where he is known for crafting innovative litigation strategies that protect client interests and promote sustainable solutions.

Nick's clients value his ability to anticipate challenges and pivot quickly in high-stakes situations, where he takes a practical, business-minded approach to resolving disputes, but is always ready to take the gloves off and apply pressure to get his clients results.

Representative Experience*

Health Care

- Successfully defended hospital and health care patient services company in 8-figure dispute regarding acquisition of medical group.
- Successfully defended health care administrative services company and obtained an early dismissal of fraud-based claims brought by former client's defaulted supplier.
- Obtained desired result in representing health care staffing services company in dispute with former employees.
- Defended a health care facility in dispute with landlord regarding non-monetary covenant defaults and eviction.
- Defended health care payroll lending company and its principals against fraud-based claims brought by third party facility operator successor; obtained early dismissal and negotiated protections against similar future claims.
- Represented and advised health care services company in filing petition for bankruptcy for defunct subsidiary.
- Advised health care companies in potential acquisitions of real property and health care facilities.
- Defended a health care administrative services company in contractual dispute with staffing company over employee "poaching" allegations.
- Advised health care services companies during investigations by the Department of Labor and Internal Revenue Services.

Energy

- Successfully represented energy finance company in defense of numerous consumer fraud claims (totaling millions in the aggregate), the majority of which were dismissed at the pleading stage.
- Successfully represented energy finance company in bringing claims against third party, which resulted in a multi-million-dollar arbitration award.
- Defended energy manufacturer in licensing and royalty dispute regarding international distribution of photovoltaic modules.
- Defended PACE administrator and government entity in consumer class-action regarding practices within the industry.
- Successfully represented energy finance company in multiple disputes with project contractors.
- Advised energy finance company in navigating government investigations into marketing practices.
- Defended renewable energy manufacturer in 8-figure dispute with project developer related to delays caused by global pandemic.
- Defended energy finance company and project developer in disputes with contractors and landlord related to large-scale project.
- Advised numerous energy finance companies in resolving disputes related to project development.

*Certain matters handled prior to joining Foley.

Awards and Recognitions

- Recognized, The Best Lawyers in America®: Ones to Watch (2023-2024)
- Bet Tzedek Pro Bono Justice Award
- Recognized, "Southern California Rising Star," by Super Lawyers®, a Thomson Reuters business
 - Business Litigation (2017, 2018)

Sectors

- Carbon Capture
- Energy & Infrastructure
- Energy Transition
- Health Care & Life Sciences
- Hydrogen
- Oil & Gas
- Power & Renewables
- Racial Justice & Equity

Practice Areas

- Commercial Litigation
- Litigation

Education

- Loyola Law School, Los Angeles (J.D., 2012)
- Carnegie Mellon University (B.S., 2002)

Admissions

- California
- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California