

## Nicholas Gross

### Partner

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Nicholas (Nick) M. Gross has more than a decade of experience as a commercial trial attorney, representing healthcare facilities and administrators, lenders, real estate developers, and landlords as well as private and public entities, directors, officers, financial institutions, and other parties in disputes and litigation in state and Federal courts throughout the country. Nick is a partner in Foley's Los Angeles office and is a member of the firm's Business Litigation & Disputes Resolution Practice Group as well as the Energy and Health Care & Life Sciences sectors.

Nick takes a practical, business-minded approach to resolving contentious disputes, but is always ready to take the gloves off and apply pressure to get results.

### Representative Experience\*

#### Health Care

- Successfully defended hospital and healthcare patient services company in 8-figure dispute regarding acquisition of medical group.
- Successfully defended healthcare administrative services company and obtained an early dismissal of fraud-based claims brought by former client's defaulted supplier.
- Obtained desired result in representing healthcare staffing services company in dispute with former employees.
- Defended a healthcare facility in dispute with landlord regarding non-monetary covenant defaults and eviction.
- Defended healthcare 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 healthcare services company in filing petition for bankruptcy for defunct subsidiary.

- Advised healthcare companies in potential acquisitions of real property and healthcare facilities.
- Defended a healthcare administrative services company in contractual dispute with staffing company over employee “poaching” allegations.
- Advised healthcare 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

- [Energy](#)
- [Health Care & Life Sciences](#)
- [Racial Justice & Equity](#)

## Practice Areas

- [Business Litigation & Dispute Resolution](#)
- [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