



## → Benjamin D. Brooks

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Benjamin D. Brooks is a partner in the Business Trial Practice Group in the firm's San Diego office.

### Areas of Practice

Ben is a trial and appellate litigator representing healthcare entities in a variety of disputes, including disputes with providers and matters that involve challenges to healthcare statutes and regulations. Ben also represents property and casualty insurers in bad faith litigation, and he defends businesses in consumer class actions.

Ben also has experience representing banks, mortgage servicers, and other financial institutions in litigation and advisory matters involving the Fair Credit Reporting Act, Truth in Lending Act, Racketeer Influenced and Corrupt Organizations Act, federal and state securities laws, and state consumer-protection statutes, including the California Unfair Competition Law.

### Honors

San Diego Rising Star, *Super Lawyers*, 2025

### Experience

- Representing Knox Keene Act health plan in disputes with non-contracted providers related to the health plan's regulatory reimbursement methodology and payments for emergency services pursuant to that policy
- Representing Knox-Keene Act health plan in dispute with contracted provider related to alleged breaches of contract
- Representing national retailer in putative class actions asserting claims under the CLRA and UCL based on alleged false reference pricing
- Representing national retailer in putative class action asserting claims under the California Invasion of Privacy Act based on alleged aiding and abetting of eavesdropping by online chat vendor
- Dismissal of equitable subrogation claim by excess insurer against primary insurer arising out of a murder at a Nevada apartment complex and subsequent wrongful death claim (2023)
- Summary judgment in favor of primary insurer defendant in equitable subrogation case brought by excess insurer arising out of an automobile collision and paralysis injury (2021)
- Defense verdict after a bench trial of third party bad faith claim against insurer for alleged unreasonable failure to settle auto injury claim (2022)

- Represented financial institution in putative nationwide class action asserting FCRA claims
- Advised national bank in establishing and implementing consumer-facing remediation strategies
- Advised marketplace lending institution in connection with an FDIC examination report asserting TILA and UDAP violations
- Provided regulatory advice to global e-commerce company regarding bank licensure and usury restrictions
- Represented mortgage servicer in putative class action relating to HAMP trial payment plan communications
- Summary judgment of federal and state securities fraud claims against investment bank in residential mortgage-backed securities litigation
- Represented national bank in RMBS litigation asserting breach of contract claims for failure to properly service loans in accordance with accepted servicing practices and contractual servicing obligations
- Represented mortgage servicer in putative nationwide class action asserting RICO and fraud claims challenging fees for default-related services
- Represented national bank in putative nationwide class action asserting breach of contract claim relating to refinancing of FHA-insured mortgages

## Articles

- 2023 Insurance Team Year-In-Review  
04.03.2024
- Sheppard Mullin Celebrates Stellar Year in Insurance Litigation  
03.30.2023

## Practices

Class Action Defense

Insurance

Litigation

## Industries

Financial Services

Mortgage Banking

## Education

J.D., University of Chicago, 2015, with High Honors, Order of the Coif; Pro Bono Service Initiative Award

B.M., California State University at Sacramento, 2012, *summa cum laude*

## Admissions

California

New York

U.S. District Court for the Southern District of New York

U.S. District Court for the Central District of California