

Samuel J. Park

Partner

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Sam is a litigator with more than a decade of experience representing companies in high-stakes class actions, complex commercial cases and arbitrations, and regulatory matters. He efficiently guides clients through all phases of class actions, including discovery, summary judgment, class certification, expert motions, pre-trial work, and settlement. Sam understands the complexities and costs associated with litigating class actions and the ever-changing landscape of class action law. He has defeated class actions on the merits and at the certification stage and has implemented strategies for clients that significantly reduced exposure before settlement.

Sam has served as counsel for clients in a wide range of industries defending them against claims for violations of the RICO Act, fraud, unfair competition and business practices law, trade secret misappropriation, business interference, breach of contract, and breach of fiduciary duty.

He has dedicated much of his career to defending life insurers in class actions arising out of a range of consumer claims involving annuity sales and marketing practices, insurance product designs, and key policy terms, including cost of insurance (COI) provisions.

In 2019, Sam was named among the “Most Influential Minority Attorneys” in the metro area by the *LA Business Journal*.

Sam is an active member of the U.S. District Court, Central District of California’s Pro Se Clinic, where he provides guidance to individuals representing themselves in federal civil actions.

Representative Experience

- Defending a life insurance company in three separate putative class actions in state and federal court alleging breaches of cost of insurance provisions in universal and variable universal life policies.
- Defending a life insurance company in a putative class action involving increases to cost of insurance rates in interest-sensitive whole life policies.
- Obtained dismissal on the pleadings in two separate RICO class action involving the sales and marketing of fixed indexed annuities, including the design and marketing of non-traditional index crediting options offered on those annuities.
- Won summary judgment and defeated class certification for a life insurance company in a RICO and breach of contract nationwide class action involving sales and marketing of and standard nonforfeiture requirements for fixed indexed annuities.
- Won summary judgment and defeated class certification for a life insurance company in a breach of contract putative class action arising out of the application of an express provision in annuity policy forms and involving billions of dollars in potential exposure.
- Won summary judgment for a life insurance company in a cost of insurance class action.

- Defeated class certification in a senior sales annuity putative class action involving allegations of unsuitable and deceptive sales.
- Obtained settlement on favorable terms in a California class action involving alleged misrepresentations and omissions in the administration of universal life policies.
- Resolved a putative California class action arising out of the marketing and sale of fixed annuities after obtaining denial of class certification on highest exposure claims.
- Resolved a putative nationwide class action involving the marketing and sale of nutritional supplements.
- Secured dismissal of all claims for a marketing company in a matter involving allegations of fraud, business interference, and trade secret misappropriation in connection with a failed business venture.
- Represented a financing company to recover damages for construction defects in a senior living residential apartment complex.
- Defended a leading pharmaceutical company in a putative nationwide RICO class action arising out of the marketing and sale of testosterone replacement therapy drugs.
- Defended three California counties in putative class actions arising out of a home renovation loan program.
- Defended a California state retirement benefit agency in a putative class action arising out of interest payments on retirement benefits.
- Defended a financial services company and investment manager against claims of breach of fiduciary duty and fraud in connection with wealth management services.
- Defeated class certification in a putative nationwide RICO class action with billions of dollars in potential exposure involving the marketing and sale of annuities.
- Advised a financial services company in analyzing risks associated with insurance sales.
- Advised a foreign insurer regarding the procedure for issuing insurance in the U.S.

Publications & Presentations

Publications

- *A Practitioner's Guide to Class Actions*, 3rd ed., American Bar Association, November 2021.
- "Courts Are More Rigorously Scrutinizing Class Settlements," *Law360*, June 28, 2019.
- "Decisions Push Life Insurance Class Actions into State Court," *Daily Journal*, May 19, 2017.
- "Ethical Issues in Class Action Settlements," in *A Practitioner's Guide to Class Actions*, 2nd Ed., American Bar Association, 2017.
- "Where Have We Been and Where Are We Going? The Shifting Landscape in Life Insurance Class Actions," *Daily Journal*, 2016.

Presentations

- "The Evolution of COI Litigation: Changing Theories and Impactful Developments in Recent Years," ALIC Annual Meeting, Palm Beach, FL, May 22-24, 2022.
- "Getting More Color on Top: Successful Strategies to Promote Diverse Associates to Partners," Los Angeles, CA

Professional & Community Engagement

- Association of Life Insurance Counsel

Education

- University of San Francisco (J.D., 2006)
- University of California, Berkeley (B.A., 2000)

Admitted to Practice

- California

Related Services

Litigation | Class Action & Multidistrict Litigation | Policyholder Class Action Defense | High Exposure Claims, Coverage & Bad Faith Defense | Insurance Regulatory Guidance | Policy Drafting and Product Development | Insurance-Related Antitrust Defense | Insurance Litigation & Regulation