HUSCH BLACKWELL



A. James Spung

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OVERVIEW

James specializes in antitrust, class action, multidistrict, commercial and appellate defense litigation, where he has pressed clients' cases in both federal and state courts.

A large portion of his practice is concentrated on litigation in the healthcare space for clients including pharmacy benefits managers, hospital organizations, medical groups and pharmacies, but he has also advocated for many other types of clients in a wide range of industries, including real estate, sporting goods, media & mass communication, food production and distribution, consumer credit reporting, home security, cannabis and cosmetics.

James welcomes and enjoys opportunities to truly partner with clients to get to know their businesses, teams and industries as an integral piece of serving their legal needs. He has secured countless favorable results for his clients, including defeating class certification on behalf of a major baseball retailer, winning summary judgment in a large contract case for a large pharmacy benefits manager and securing a Supreme Court victory allowing a media client to participate in a "once-in-a-lifetime" reverse spectrum auction by the FCC, as well as innumerable favorable out-of-court resolutions, including voluntary dismissals or risk-mitigating settlements.

James graduated in the top 10 of his class from Emory University School of Law and earned undergraduate degrees in Journalism & Mass Communications and Political Science from Whitworth University. He clerked for Hon. Emmett Ripley Cox of the U.S.

Industry

Healthcare

Services

Antitrust & Competition
Antitrust Litigation
Appellate
Class Action Defense
Commercial Litigation
Litigation & Alternative Dispute Resolution
Securities & Corporate Governance

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Court of Appeals for the 11th Circuit. Before joining the firm, James was an associate at a global law firm.

Client Successes

Three-Year Class Action Denied

James's tireless advocacy over three years of deliberations, two separate class certification motions and nearly 20 briefs achieved a critical success for a client. A nationwide and California consumer fraud class action alleged that our client, a major sporting equipment provider, had mislabeled youth-sized baseball bats. James argued that the evidence amassed by the plaintiff was incapable of meeting elements of the plaintiff's claims for the class, persuading the court to deny two motions for class certification.

Consumer Fraud Case Dismissed

James persuaded a Missouri federal court to grant a motion to dismiss a consumer fraud case against our client, an international seller of canine products and supplements, by arguing that the products' labeling was not misleading as a matter of law. The court dismissed the case with prejudice, handing the client a significant early-case win.

Victory in Fraud Lawsuit

James secured a $3 million judgment for a worldwide products distributor in a fraud lawsuit. The case alleged that the client had engaged a broker during the height of the pandemic to secure personal protective equipment for its customers, and the broker defrauded the client out of millions of dollars while delivering none of the equipment ordered. The Husch Blackwell team pursued claims against the broker and its employees and ultimately secured judgment in favor of our client against all defendants.

Experience

- Prevailed for pharmacy benefit manager in massive multi-district litigation, obtaining both a dismissal with prejudice and an important decision defending the use of mail-order pharmacies to deliver medications.
- Won partial summary judgment on key claims against client pharmacy benefit manager, leading to favorable subsequent resolution of remaining claims, in federal court in contractual dispute against pharmacy.

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Experience

- Won partial dismissal in class action case alleging consumer fraud claims in California federal court.
- Defended leading consumer brands conglomerate in trial-bound commercial litigation in Delaware Chancery Court arising from transformative merger.
- Secured favorable settlement for global, publicly traded timber company facing federal securities fraud allegations. Defended company through large-scale discovery and substantial motions practice and successfully mediated a favorable settlement within insurance limits.
- Secured complete and final dismissal on the merits of a putative class action for Compana Pet Brands (Manna Pro Products LLC), a leading animal care and nutrition company, in connection with its Nutri-Vet Hip & Joint supplements (glucosamine/chondroitin) for dogs concerning claims of false or misleading labels and deceptive advertising practices. *Perry v. Manna Pro Products, LLC*, E.D.Mo., Case No. 4:22-cv-00127-AGF.
- Defeated motion for class certification in California federal court in a consumer protection action against a national sporting goods company.
- Successfully resolved more than 50 consumer credit reporting cases brought against major credit reporting agency in wide variety of state and federal courts.
- Won rare emergency appeal to Georgia Supreme Court to overturn trial court injunction and allow client TV network to participate in "once-in-a-lifetime" FCC public auction.
- Successfully resolved complex multidistrict, multiaction securities litigation arising from accounting and disclosure concerns for large media company.
- Represented clients through intensive and confidential internal investigations, including conducting large-scale document review and dozens of witness interviews. Topic areas included allegations implicating False Claims Act, Foreign Corrupt Practices Act, and commercial and accounting laws and regulations.

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Recognition

- *The Best Lawyers in America®,* Commercial Litigation, 2027
- *Benchmark Litigation*, 40 & Under List, 2024 and 2025
- *Missouri & Kansas Super Lawyers*, Business Litigation, Rising Star, 2020-2023
- *Georgia Super Lawyers* "Rising Stars," 2018

Education

- J.D., Emory University School of Law
  - with honors
  - Order of the Coif
  - Mary Laura "Chee" Davis Scholar
  - *Emory Law Journal*, Executive Managing Editor
  - Top Oralist, Legal Writing, Research, & Advocacy
  - Finalist, Most Outstanding 3L Award
- B.A., Whitworth University
  - *summa cum laude*
  - President's Award for Outstanding Academic Achievement
  - *The Whitworthian*, Managing Editor

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Admissions

- Colorado
- Georgia
- Missouri
- New York
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Northern District of Georgia
- U.S. District Court, District of Colorado
- U.S. District Court, District of New Jersey

Clerkships

- Hon. Emmett Ripley Cox, U.S. Court of Appeals, Eleventh Circuit



2025 Benchmark Litigation - 40 & Under List

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