

Spencer Y. Kook

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He/Him

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About Spencer

A seasoned insurance regulatory and litigation attorney, Spencer advises carriers, producers, and other regulated entities on rating and regulatory compliance, including licensing, underwriting, and forms. Spencer assists clients with noncompliance proceedings, examinations, enforcement actions and rate hearings. Leveraging more than 25 years of experience, he also manages insurance litigation and business dispute matters and defends clients against class and representative actions, and challenges brought under California's Unfair Competition Law and false advertising laws.

Spencer has significant experience prosecuting prior approval rate application proceedings and defending order to show cause hearings challenging issues concerning licenses and/or compliance with claims handling, underwriting, and advertising laws. He also defends noncompliance rate hearings and contributes to, and advises on, rulemaking hearings.

Spencer's Affiliations

- The State Bar of California
- National Asian Pacific American Bar Association, Insurance Law Committee, Former Co-Chair

Areas of Focus

Industries: Insurance; Insurance Regulatory & Compliance

Services: Appellate; Consumer & Class Action Defense; Data Privacy, AI & Cybersecurity;
Insurance Coverage Litigation & Counseling; Litigation & Trial; Regulatory & Compliance

Experience

- Represents physicians and private corporations in defense against multi-million dollar claims for defamation, breach of contract and fiduciary duty, conspiracy, extortion, and interference claims arising from acrimonious partnership dissolution.
- Represents workers' compensation carriers in prosecuting and recovering premiums owed by companies under loss-sensitive workers' compensation policies and programs.
- Resolved to the client's satisfaction for a fraction of demand representing a workers' compensation insurer in an attorney fee dispute where a law firm sought millions of dollars in fees and damages.
- Resolved in favor of the provider on the merits, by defeat of class certification and other informal resolution representing vehicle service contract and deficiency waiver provider against a series of putative class actions concerning false advertising and claims handling practices.
- Successfully prosecuted breach of contract and fraud litigation against individual defendants and alter-ego company for recovery of converted funds and unearned commissions owed to the company
- Resolved to clients' satisfaction state and nationwide class action challenging insurer practices such as the handling of total loss claims, "diminished value" claims, off-set and reimbursement rights relating to medical coverage benefits, auto-body shop "steering" claims, charging of allegedly unlawful contingent commissions and use of continuous coverage discounts.
- Affirmed dismissal of a class action concerning alleged improper mishandling of medical expense payment coverages based upon auto policy's contractual lawsuit limitation provision. *McAlister v. Mercury Ins. Co.*, 2013 Cal. App. Unpub. LEXIS 7731 (2013)
- Affirmed denial of certification of a class challenging the alleged fraudulent marketing of GAP insurance product. *Grim v. Safe-Guard Products International*, 2011 Cal. App. Unpub. LEXIS 2475 (2011)
- Affirmed dismissal of a class action challenging carrier's alleged mishandling of uninsured motorist payments under auto insurance policies. *Hervey v. Mercury Casualty Co. v. Mercury*, 185 Cal. App. 4th 954 (2010)
- Affirmed dismissal of a class action concerning alleged unlicensed sale of vehicle service contracts. *Medina v. Safe-Guard Products International, Inc.*, 164 Cal. App. 4th 105 (4th App. Dist, June 19, 2008)
- Affirmed dismissal of representative action challenging carriers' handling of total vehicle loss claims. *State ex rel. Metz v. Farmers Group, Inc.*, 156 Cal. App. 4th 1063 (2007)
- Affirmed dismissal of qui tam action challenging insurer's allegedly fraudulent practices relating to marketing and sale of disability insurance policies. *State of California ex rel. Linda Nee v. Unumprovident Corporation*, 140 Cal. App. 4th 442 (2006)
- Successful reversal of trial court's decision and determination of the existence of a private right of action for violation of insurance rate statute. *Farmers Insurance Exchange v. Superior Court*, 137 Cal. App. 4th 842 (2006)

Recognition

- *The Best Lawyers in America*®, Commercial Litigation, 2026; Insurance Law, 2026
- *Chambers USA: America's Leading Lawyers for Business*, Insurance: Insurer – California, Band 4, 2020 – 2025

Credentials

Education

University of California Los Angeles School of Law, JD, 1999

University of California at Berkeley, BA, 1996

Bar Admissions

California

Nevada

Court Admissions

US Court of Appeals for the Ninth Circuit

US District Court for the Central District of California

US District Court for the Eastern District of California

US District Court for the Northern District of California

US District Court for the Southern District of California

Interests

Did you know...

When not at the office or with family, you'll find Spencer behind the wheel of his truck, overlanding and camping in the rugged beauty of local deserts and mountains.

Thought Leadership

Presentations

- Panelist, "California 2025: Can We Meet The Moment?" Western Region General Counsel Conference, American Property Casualty Insurance Association, San Diego, California, July 23, 2025
- Panelist, "California Wildfires: Insurance and Reinsurance Issues," ARIAS Spring Conference 2025, Coral Gables, Florida, April 30, 2025
- Panelist, "Perspectives on Current Events in California's Insurance Market," Casualty Actuarial Society's (CAS) Envisioned Future (from the CAS Strategic Plan), Virtual Event, August 23, 2023

- Panelist, “Is California ‘Too Big To Fail’? An Examination of Potentially Existential Issues In The California Market,” American Property Casualty Insurance Association, Western Region General Counsel Conference, San Diego, California, July 26, 2023
- Co-Presenter, “Perspectives on Current Events in California’s Insurance Market,” CAS Ratemaking, Product and Modeling Seminar, Coronado, California, March 14, 2023
- “Regulatory Issues in California and Nevada,” Western Regional General Counsel Conference, Las Vegas, Nevada, July 14, 2022
- “Retrospective and Update on California Wildfire – Related Homeowners Issues,” Western Regional General Counsel Conference, Las Vegas, Nevada, July 14, 2022
- Panelist, “Regulatory Roulette: Leveraging and Navigating State Insurance Departments,” 2022 Insurance Coverage Litigation Committee CLE Seminar, The American Bar Association, Tucson, Arizona, March 4, 2022
- “Business Interruption Coverage Claims in a Covid-19 Era: Legal and Regulatory Updates,” National Asian Pacific American Bar Association Convention, Virtual Event, December 10, 2021
- Co-Presenter, “The Latest from the California Regulatory Frontier on Rate and Form Approval Issues,” American Property Casualty Insurance Association’s (APCIA) Western Region General Counsel Conference, Virtual Event, July 27, 2021
- “Legal, Governmental and Regulatory Issues Concerning Insurance Coverage Arising Out of COVID-19,” National Asian Pacific American Bar Association Convention, Virtual Event, November 7, 2020
- “(Mostly) Non-COVID 19 California Insurance Litigation and Regulatory Update,” Western Region General Counsel Conference, Webinar, July 29, 2020
- “California Rating: News Flashes and New Issues,” 30th Annual Western Region General Counsel Conference, Hollywood, California, July 25, 2019
- “Is California Catastrophe Regulation Leading to a Homeowners Rate Crisis?” 30th Annual Western Region General Counsel Conference, Hollywood, California, July 25, 2019
- “Thirty Years After the Passage of Proposition 103,” PCI’s 29th Annual Western Region General Counsel Seminar, San Diego, California, July 26, 2018
- “News from the Front: Update on *Mercury v. Jones*,” 25th Annual Association of California Insurance Companies’ General Counsel Seminar, Las Vegas, Nevada, July 2014
- “*Mercury v. Jones*: Judicial Review of Prior Approval,” 24th Annual Association of California Insurance Companies’ General Counsel Seminar, Las Vegas, Nevada, July 2013
- “Class Action Litigation under the California Unfair Competition Law,” CPCU Society, Los Angeles Chapter, Los Angeles, California, January 2011
- “The Regulation and Oversight of Insurance Pricing: Developing Trends in Health and P&C Insurance,” Insurance Law Forum, Chicago, Illinois, November 2010
- “Class Action Litigation under the California Unfair Competition Law,” CPCU Society, Los Angeles, California, November 2009
- “The Impact of Proposition 64 on Class Actions Against Insurance Companies,” 20th Annual ACIC General Counsel Seminar, Las Vegas, Nevada, August 2009

Publications

- Chapter 1, “Overview of California Insurance Law,” (Revised and Updated), California Insurance Law and Practice, LexisNexis, 2019
- Chapter 5, “The California Insurance Holding Company Act,” (Revised and Updated), California Insurance Law and Practice, LexisNexis, 2019
- Chapter 1, “Overview of California Insurance Law,” California Insurance Law and Practice, LexisNexis, 2016
- Chapter 6A, “Property – Casualty Insurance Ratemaking and Rate Regulation,” California Insurance Law and Practice, LexisNexis, May 2015
- Chapter 29, “Operation of Life and Disability Insurance Carriers,” (Revised), California Insurance Law and Practice, LexisNexis Matthew Bender, September 2013
- Chapter 53, “Subrogation,” California Insurance Law and Practice, LexisNexis Matthew Bender, September 2010

Events

- Spencer Kook Presents a Panel Discussing the Insurance Impact of California Wildfires, Apr 30, 2025
- Spencer Kook to Present at APCIA’s Western Regional General Counsel Conference, Jul 14, 2022
- Hinshaw Attorneys to Speak at ABA’s 2022 Insurance Coverage Litigation Committee CLE Seminar, March 2 – 5, 2022
- Hinshaw Attorneys to Present at the APCIA Western Region General Counsel Conference, July 27 – 28, 2021
- Hinshaw Attorneys to Present at 30th Annual Western Region General Counsel Conference, Jul 26, 2019

In The News

- Spencer Kook Advocates for Streamlined Insurance Rate Approvals Amid State Farm’s Emergency Rate Hike Request, Mar 26, 2025
- Spencer Kook Weighs in on California’s Provisional Approval of State Farm Emergency Rate Hike Request, Mar 18, 2025
- Spencer Kook Analyzes California’s Largest Insurance Regulatory Reform in 30 Years, Jan 27, 2025
- Hinshaw Lawyers Author Article on COVID-19 Insurance Issues and Recent California Insurance Litigation and Regulations, Dec 4, 2020

Insights for Employers Alert

- Governor Newsom Issues Executive Order Creating Rebuttable Presumption of Workers’ Compensation Compensability for COVID-19 Work-Place Related Illnesses, May 8, 2020

Insights for Insurers Alert

- California Orders Premium Refunds on Policies Exposed to Reduced Risk of Loss Due to COVID-19 Pandemic and Calls for Coverage Extension for Uninsured Delivery Drivers for California Essential Businesses, Apr 13, 2020

Press Releases

- 102 Hinshaw Lawyers Recognized in 2026 Editions of *The Best Lawyers in America*® and *Ones to Watch*™, Aug 21, 2025
- Hinshaw Earns National Recognition in 2025 *Chambers USA* Directory, Jun 5, 2025
- 2024 Edition of *Chambers USA* Recognizes Hinshaw for its Insurance, Aviation, and Financial Services Practices, Jun 6, 2024
- 2023 Edition of *Chambers USA* Recognizes Hinshaw for its Transportation, Insurance, and Financial Services Practices, Jun 1, 2023
- 2022 Edition of *Chambers USA* Recognizes Hinshaw's Insurance and Financial Services Practices, Jun 1, 2022

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