



## Spencer Leach

Associate

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Spencer Leach focuses his practice on residential mortgage litigation and assists clients with lender liability, contested foreclosures, and real estate litigation matters.

Mr. Leach helps advise and defend mortgage lenders and servicers on a wide variety of issues, including lender liability, contested foreclosures and real estate litigation.

Before joining Baker Donelson, Mr. Leach clerked for two years for the Honorable B. Waugh Crigler, Federal Magistrate Judge of the Western District of Virginia.



### Representative Matters

- Awarded final summary judgment in state court for a breach of contract claim, where the court ruled that the plaintiff's breach of contract was not supported by the undisputed evidence and specific contract language at issue.
- Awarded final summary judgment in the U.S. District Court for the Northern District of Florida in favor of a defendant-client, where the court agreed that the plaintiff's breach of contract claim was not supported by the undisputed evidence and specific contract language at issue.
- Secured a dismissal with prejudice of a lawsuit filed by a water mitigation vendor, with the court finding that the subject insurance policy's anti-assignment provision was enforceable, which also led to an award of entitlement to attorney's fees to our client.
- Granted summary judgment in federal court defeating the insured's breach of contract claim on the defense that the insured failed to produce admissible evidence of damages following a fire loss involving commercial property. The federal court denied the insured's motion for summary judgment, finding that the carrier was entitled to have its contractual fraud counterclaim heard by a jury, despite the fact that the alleged fraudulent conduct was committed, at least in part, by the insured's contractor-agent.



### Professional Honors & Activities

- Named a *Best Lawyers: Ones to Watch® in America* for Commercial Litigation (2021 – 2023)



### Publications

- Co-author – "Hurricane Ian: An Anticipated Flood and Windstorm of Litigation Over Flood and Windstorm" (December 2022)
- Co-author – "Florida Insurance Suit Trends To Look Out For After Hurricane Ian," *Law360* (November 2022)
- Co-author – "Assignability of Commercial Contracts (FL)," Thomson Reuters Practical Law (February 2022)
- Co-author – "Assignability of Commercial Contracts (FL)," by Jennifer G. Cooper, David Levin, and Spencer Leach, Thomson Reuters Practical Law (March 2018)



### Webinars

- Unfair and Deceptive Practices: The Legal Wild Card (October 2020)



## Education

- University of Virginia School of Law, J.D., 2011
  - Editorial Board and Articles Review Board – *Virginia Environmental Law Journal*
- University of North Carolina at Chapel Hill, B.A. Environmental Studies, Highest Distinction, 2008



## Admissions

- Florida, 2014
- Virginia, 2011