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Sprankling's parents both are lawyers, and they told him to think carefully before following their footsteps. "But I did it anyway," said the WilmerHale counsel, who now specializes in appellate and Supreme Court litigation, often concerning intellectual property issues.

"Law gives me the opportunity to wrestle with some interesting puzzles," Sprankling said.

He gained valuable insight, he added, clerking for Justice Anthony Kennedy in the term before the one in which the justice retired, and earlier for then-Judge Alex Kozinski at the 9th U.S. Circuit Court of Appeals. Sprankling and his father, a property law scholar at McGeorge School of Law, recently co-authored a treatise on trade secret law.

Sprankling was a central figure of the team representing Kenneth Humphrey at the state Supreme Court in a landmark appeal challenging the constitutionality of California's money bail system. In March 2021 the high court held unanimously that the state and U.S. constitutions bar pretrial detention through the imposition of unaffordable cash bail absent a court's finding of overriding public safety interests. In re Humphrey, 11 Cal. 5th 135 (S.Ct., op. filed March 25, 2021).

"A major constitutional law decision," said Sprankling, who with a WilmerHale colleague partnered with a civil rights nonprofit to brief the matter. "This is an issue that is currently being debated across the country."

Sprankling also played a major role in Twitter Inc.'s win before a state appellate panel in January 2021 when the justices held that the social media giant was authorized by the Communications Decency Act's Section 230 to ban a user who repeatedly harassed transgender persons. *Murphy v. Twitter Inc.*, 60 Cal.App. 5th 12 (1st DCA, op. filed Jan. 22, 2021).

Twitter said the user, Meghan Murphy, had violated its hateful conduct rules and permanently suspended her account. The panel concluded that Murphy's suit for breach of contract and violation of the unfair competition law was barred by the broad immunity conferred by the CDA, affirming a trial court's sustaining of Twitter's demurrer.

"This is an area where the law is developing and changing very quickly," said Sprankling, who was the lead drafter of the appeal. "Section 230 has not been heavily litigated in state court." The appellate panel's lengthy ruling appears to be one of the most comprehensive California rulings laying out the boundaries of the law. "That was a good result," Sprankling said. "The panel agreed with most of our arguments."

In 2019, Sprankling was the primary drafter of Ancestry.com's winning argument—affirmed by the U.S. Court of Appeals for the Federal Circuit—that rival 23and Me's DNA testing patent was invalid because it merely claimed the natural law that the more DNA two people share, the more likely they are to be related. The ruling headed off a major lawsuit. *23andMe Inc. v. Ancestry.com* DNA LLC, 19-1222 (F.Cir., op. filed Oct. 4, 2019).

"A natural law, a high-profile case," Sprankling said. "It's what keeps my practice interesting."

— **John Roemer**

THOMAS G. SPRANKLING

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APPELLATE AND SUPREME COURT LITIGATION

AGE: 35

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