



James B. Baldinger

SHAREHOLDER

WEST PALM BEACH

P : 561.650.8026

F : 561.659.7368

CONNECT

jbaldinger@carltonfields.com

[LinkedIn](#)

Overview

Jim Baldinger practices commercial litigation and advises and counsels businesses on security and electronic surveillance matters. He represents companies and individuals nationwide, in state and federal courts, and in arbitrations.

His experience includes class action litigation; contract disputes; labor and employment cases; construction defect litigation; and privacy, security, and computer crime litigation.

Prior to joining Carlton Fields, Jim worked as a senior executive and in-house counsel for a *Fortune* 100 telecommunications company. Those experiences help him to appreciate and meet his clients' business and legal obligations, giving him insight into virtually every aspect of the business, including sales and marketing, network operations, mergers and acquisitions, and fraud and security.

Jim, who is AV rated by Martindale-Hubbell, has been selected to the Florida Super Lawyers list and has received numerous other professional awards. He served as co-chair of the ABA's Privacy and Computer Crime Committee CLE Working Group and was recognized by former FBI Director Robert Mueller for providing assistance in combating international terrorism in connection with his efforts to stop wireless handset trafficking on behalf of the firm's telecommunications clients.

Jim is the chair of the Telecommunications Industry Group.

Experience

- *MetroPCS v. Fiesta Cell Phone & Dish Network, Inc.*, No. 4:16-cv-03573 (S.D. Tex. Nov. 2, 2017) (granting plaintiff's permanent injunction and final judgment against defendants SMBNW Enterprises Inc. d/b/a Fiesta Cell Phones, Zawar H. Shah, and Moeed H. Shah of \$3 million in favor of telecommunications carrier). [View final judgment.](#)
- *MetroPCS v. Fiesta Cell Phone & Dish Network, Inc.*, No. 4:16-cv-03573, 2017 WL 958592 (S.D. Tex. Mar. 6, 2017) (granting plaintiff's permanent injunction and final judgment against defendant Fiesta Cell Phone & Dish Network Inc. of

\$7,421,025.65 in favor of telecommunications carrier). View final judgment.

- *MetroPCS v. Devor*, 256 F. Supp. 3d 807 (N.D. Ill. 2017) (granting plaintiff's motion to compel defendants to attend deposition in aid of execution of judgment and for sanctions). View final judgment.
- *MetroPCS v. PC-Wiz Corp.*, No. 3:16-cv-00442 (N.D. Tex. June 6, 2017) (granting permanent injunction and final judgment against defendants Abdalgader Othman and Bluetooth Worldwide Inc. of \$1,388,728.94 in favor of telecommunications carrier). View final judgment.
- *MetroPCS v. SNS Commc'ns, Inc.*, No. 1:15-cv-06967, 2017 WL 1102895 (E.D.N.Y. Mar. 20, 2017) (granting permanent injunction and final judgment of \$2,077,740 in favor of telecommunications carrier). View final judgment.
- *MetroPCS v. SD Phone Trader*, No. 3:16-cv-00098, 2017 WL 487566 (S.D. Cal. Jan. 11, 2017) (granting permanent injunction and final judgment of \$2 million in favor of telecommunications carrier). View final judgment.
- *MetroPCS v. Rivera*, 220 F. Supp. 3d 1326 (N.D. Ga. 2016) (granting permanent injunction and final judgment of \$4,698,886.02 in favor of telecommunications carrier). View final judgment.
- *MetroPCS v. Prudence Masno Agboton*, 216 F. Supp. 3d 910 (N.D. Ill. 2016) (granting permanent injunction and final judgment of \$455,587 in favor of telecommunications carrier). View final judgment.
- *MetroPCS v. Devor*, 215 F. Supp. 3d 626 (N.D. Ill. 2016) (granting permanent injunction and final judgment of \$517,262.56 in favor of telecommunications carrier). View final judgment.
- *Sprint Sols., Inc. v. Tijerina Grp., LLC*, No. 4:16-cv-01200, 2016 WL 4542036 (S.D. Tex. Aug. 30, 2016).
- *MetroPCS v. Pesina*, 190 F. Supp. 3d 688 (S.D. Tex. 2016) (granting permanent injunction and final judgment of \$856,734.07 in favor of telecommunications carrier). View final judgment.
- *MetroPCS, a brand of T-Mobile USA, Inc. v. Raymond*, No. 1:15-cv-01062, 2016 WL 1553728 (W.D. Tex. Apr. 4, 2016) (granting permanent injunction and final judgment of \$1,205,209.30 in favor of telecommunications carrier). View final judgment.
- *MetroPCS, a brand of T-Mobile USA, Inc. v. Benavidez*, No. 1:15-cv-00882 (W.D. Tex. Dec. 7, 2015) (granting permanent injunction and final judgment of \$1 million in favor of telecommunications carrier). View final judgment.
- *Tracfone Wireless, Inc. v. Holden Prop. Servs., LLC*, 299 F.R.D. 692 (S.D. Fla. 2014).
- *Sprint Nextel Corp. v. AU Elecs., Inc.*, No. 1:12-cv-09095, 2014 WL 258808 (N.D. Ill. Jan. 23, 2014).
- *T-Mobile USA, Inc. v. AU Elecs., Inc.*, No. 1:12-cv-10046, 2014 WL 258495 (N.D. Ill. Jan. 23, 2014).
- *TracFone Wireless, Inc. v. Washington*, 978 F. Supp. 2d 1225 (M.D. Fla. 2013).
- *Sprint Nextel Corp. v. Middle Man Inc.*, No. 2:12-cv-02159, 2013 WL 3819938 (D. Kan. July 24, 2013).
- *TracFone Wireless, Inc. v. GCA Elecs., LLC*, 950 F. Supp. 2d 1326 (N.D. Ga. 2013).
- *TracFone Wireless, Inc. v. Cabrera*, 883 F. Supp. 2d 1220 (S.D. Fla. 2012).

- *T-Mobile USA, Inc. v. Terry*, 862 F. Supp. 2d 1121 (W.D. Wash. 2012).
- *T-Mobile USA, Inc. v. Yoak*, No. 4:10-cv-02244, 2012 WL 886827 (E.D. Mo. Mar. 15, 2012).
- *T-Mobile USA, Inc. v. Begum*, No. 1:11-cv-02542, 2011 WL 4090930 (E.D.N.Y. Aug. 17, 2011).
- *TracFone Wireless, Inc. v. Sunstrike Int'l, Ltd.*, 273 F.R.D. 697 (S.D. Fla. 2011).
- *In re TFT-LCD (Flat Panel) Antitrust Litig.*, No. 3:07-md-01827, 2010 WL 4705518 (N.D. Cal. Nov. 12, 2010).
- *TracFone Wireless, Inc. v. Distelec Distribuciones Electronicas, S.A. de DV*, 268 F.R.D. 687 (S.D. Fla. 2010).
- *TracFone Wireless, Inc. v. Bequator Corp., Ltd.*, 717 F. Supp. 2d 1307 (S.D. Fla. 2010).
- *TracFone Wireless, Inc. v. Zip Wireless Prods., Inc.*, 716 F. Supp. 2d 1275 (N.D. Ga. 2010).
- *TracFone Wireless, Inc. v. Anadisk LLC*, 685 F. Supp. 2d 1304 (S.D. Fla. 2010).
- *AT&T Mobility LLC v. S & D Cellular, Inc.*, No. 2:09-cv-00805, 2009 WL 3233814 (C.D. Cal. Sept. 23, 2009).
- *T-Mobile USA, Inc. v. Ataricom, Inc.*, No. 3:09-cv-01542, 2009 WL 3233542 (N.D. Tex. Sept. 14, 2009).
- *TracFone Wireless, Inc. v. Access Telecom, Inc.*, 642 F. Supp. 2d 1354 (S.D. Fla. 2009).
- *AT&T Mobility LLC v. Arena Trading, Inc.*, No. 3:08-cv-00330, 2008 WL 624104 (N.D. Tex. Mar. 5, 2008).
- *TracFone Wireless, Inc. v. GSM Grp., Inc.*, 555 F. Supp. 2d 1331 (S.D. Fla. 2008).
- *TracFone Wireless, Inc. v. Dixon*, 475 F. Supp. 2d 1236 (M.D. Fla. 2007).
- *Wagner v. TracFone Wireless, Inc.*, No. 2:06-cv-00053 (E.D. Ky. Mar. 10, 2006).
- *Penberthy v. AT&T Wireless Servs. Inc.*, 354 F. Supp. 2d 1323 (M.D. Fla. 2005).
- *Orr v. Black & Furci, P.A.*, 876 F. Supp. 1270 (M.D. Fla. 1995).
- *In re Reinstein*, 165 B.R. 303 (Bankr. S.D. Fla. 1994).

All Insights

10.10.2019	Spearheading an Aggressive Enforcement Campaign Against Cell Phone Trafficking
08.26.2018	23 Attorneys General Challenge FCC Ruling on Net Neutrality
06.22.2018	Supreme Court Rules Government Must Obtain Search Warrant for Mobile Phone Location Data
11.16.2016	FCC Adopts New Broadband Privacy Rules
03.30.2016	Federal Court Issues \$1 Million Contempt Award for Repeated Cell Phone Unlocking Misconduct

08.24.2015	FCC Issues \$2.96 Million Fine for Robocalling Violations
05.07.2015	Eleventh Circuit Court of Appeals: Warrantless Cell Site Data Constitutional
04.26.2015	Federal Order Addresses California Restrictions on When Wireless Providers Can Produce Documents Responsive to Subpoenas
01.11.2015	Consumer Financial Protection Bureau Attempts to Regulate Telecom
07.16.2014	U.S. Supreme Court: Warrant Generally Required to Search Information on a Cell Phone, Even Incident to Arrest
11.07.2012	Uncertainty in the Cloud: Changing Requirements for Disclosing Customer Data
12.01.2009	FCC Issues Order to Help Speed Approval of Wireless Telecommunication Towers by Local Governments
07.20.2008	Wireless Industry Fights Back Against Prepaid Phone Trafficking

All News

09.10.2019	TracFone Secures \$10M Judgment In Device Trafficking Row
05.15.2019	TracFone Slams Bid to Nix Phone-Smuggling Suit
07.09.2018	Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida “Super Lawyers” and “Rising Stars”
06.23.2017	Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 “Super Lawyers” and “Rising Stars”

Recognition

- Most Effective Lawyers Award, *Daily Business Review* (2016, 2019)
- Florida Super Lawyers, *Super Lawyers Magazine* (2011–2013, 2017–2018)
- Received certificate from FBI Director Robert Mueller for assistance in combating international terrorism in connection with work on stopping wireless handset trafficking (May 2010)
- Finalist, Key Partners Awards, *South Florida Business Journal* (2008)
- AT&T Wireless Circle of Excellence Award (1997, 2001)

Professional & Community Involvement

- American Bar Association
 - Co-Chair, CLE Working Group, Privacy and Computer Crime Committee of the Science and Technology Law Section
- The Florida Bar
- International Security Management Association
- Wireless Chief Security Officers Forum
 - Founder
- United Jewish Communities of North America
 - National Young Leadership Cabinet
- Palm Beach County Bar Association
- Palm Beach County Commission for Jewish Education
 - President
- Jewish Federation of Palm Beach County
 - Chair, Business and Professional Division

Speaking Engagements

- “Breached! Incident Response Executive Management Wargame,” Carlton Fields In-House Counsel Forum, Orlando, FL (March 2017)
- “Cybersecurity Update,” Carlton Fields In-House Counsel Forum, Orlando, FL (March 2015)
- “Emerging Issues in Information Security and Privacy,” Carlton Fields In-House Counsel Forum, Orlando, FL (March 2014)
- "Effective Strategies for Ensuring Legal Compliance," Neustar (September 2013)
- “Responding to the Needs of Communications Consumers: Competition, Investment and Broadband,” Emerging Issues Policy Forum, Amelia Island, FL (December 7-9, 2008).
- “Communications Forum 2007,” Emerging Issues Policy Forum, Amelia Island, FL (December 2007)
- “Communications Forum 2006,” Emerging Issues Policy Forum, Amelia Island, FL (May 2006)
- “A Lawyer’s Guide to Enterprise Security,” ABA Privacy and Computer Crime Committee (January through April, 2005)
- “Communications Forum 2005,” Emerging Issues Policy Forum, Amelia Island, FL (February 2005).
- “Legal Compliance with Lawful Interception,” ISS World Forum, Washington, D.C. (December 2004)
- “VOIP/Legal Compliance Seminar,” Telecom '04, United States Telecom Association, Las Vegas, NV (October 2004)
- “CALEA Cost Recovery” and “Service Provider and Law Enforcement Round Table,” ISS World Forum, Washington, D.C. (May 2004)

- “Complying With Surveillance Laws: Tips, Traps and Techniques,” National Telecommunications Cooperative Association, Chicago, IL (December 2003)
- “The Service Provider’s Perspective: Caught in the Middle,” Understanding Lawfully Authorized Internet Surveillance and Infrastructure Protection, Washington, D.C. (May 2003)

Credentials

EDUCATION

- Georgetown University Law Center (J.D., cum laude, 1990)
- University of Pennsylvania (B.A., 1987)

BAR ADMISSIONS

- Florida

COURT ADMISSIONS

- U.S. Court of Appeals, Tenth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. Bankruptcy Court, Southern District of Florida
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
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- Florida State Courts

CLERKSHIPS

- Hon. Steven D. Merryday, U.S. District Court, Middle District of Florida
- Hon. William Terrell Hodges, U.S. District Court, Middle District of Florida

Background

- Vice President of Business Security, AT&T Wireless Services (1995-2003)
 - Managed a 250-employee nationwide department with an annual budget in excess of \$30 million, responsible for companywide fraud detection and prevention, cyber-network security, physical security, new product security analysis, internal investigations, and subpoena, court order, electronic surveillance, and CALEA compliance.
- Senior Corporate Counsel, AT&T Wireless Services

- Responsible for nationwide portfolio of litigation matters, including commercial, employment, consumer and class action cases, had primary responsibility for the company's bankruptcy and security-related legal matters, and managed the legal department's Florida office. Also worked closely with regional business managers to provide legal advice and counsel in all areas, with primary responsibility for litigation, employment law, fraud and security, supplier contracts, and resellers.

Areas of Focus

PRACTICES

- Cybersecurity and Privacy
- Intellectual Property
- International
- Litigation and Trials

INDUSTRIES

- Technology & Telecommunications

In the News



Jim was featured in a Fox 2 Detroit news segment of reporter Rob Wolchek's special investigation of cell phone trafficker Jason Floarea.