



# Aaron S. Weiss

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## Overview

Aaron Weiss maintains a national litigation practice focused on telecommunications law, class actions and consumer claims. His cases often involve all of these areas of law. He also frequently counsels insurance companies on complex coverage issues relating to class actions and other aggregated litigation.

Aaron has particularly extensive experience in litigating matters under the Telephone Consumer Protection Act (TCPA). He has litigated dozens of TCPA cases on both a single plaintiff and class basis and heads the firm's nationwide TCPA practice. His experience includes cases relating to conduct that occurred as early as 2005, and he has been involved in many precedent-setting Florida TCPA decisions.

Aaron also frequently litigates class action cases under a broad variety of consumer protection statutes, including the Fair Credit Reporting Act (FCRA); the Fair and Accurate Credit Transactions Act (FACTA); the Fair Debt Collection Practices Act (FDCPA); the Medicare Secondary Payer Act (MSP Act); the Florida Deceptive and Unfair Trade Practices Act (FDUTPA); the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), and the Florida Consumer Collection Practices Act (FCCPA).

By appointment of Chief Judge K. Michael Moore, Aaron serves on the Southern District of Florida Ad Hoc Committee on Rules and Procedures. He has been the lead drafter of amendments to more than a dozen local rules. He regularly publishes articles and lectures on issues related to procedural rules in federal court practice and other issues related to his practice. He currently writes a regular column for *Law360* addressing key issues under FDUTPA.

## Experience

### Consumer Class Actions

Aaron has substantial experience in consumer class action matters across a wide

range of industries, including the automotive, banking, mortgage insurance, and timeshare industries. He also frequently counsels liability insurers on issues related to the resolution of class actions where their policyholders are named as defendants. Some of his notable consumer class action cases include:

- Represented claims administrator in a lawsuit alleging violations of the Medicare Secondary Payer Act. Obtained precedent-setting order clarifying standards for standing in these cases. *MAO–MSO Recovery II, LLC v. Boehringer Ingelheim Pharm., Inc.*, 281 F. Supp. 3d 1278 (S.D. Fla. 2017).
- Represented medical services company in class action lawsuit relating to the Fair and Accurate Credit Transactions Act. Negotiated a settlement for client that included a reversionary fund. *Diaz v. Chapters Health Sys., Inc.*, No. 8:18-cv-03052, 2020 WL 5166527, at \*1 (M.D. Fla. Aug. 31, 2020).
- Counseled the leading prepaid mobile telephone service provider, resolving four consolidated class action cases and an FTC enforcement action relating to its product advertisements; helped negotiate one of the first-ever joint resolutions between a private civil class action and an FTC enforcement action. *In re TracFone Unlimited Serv. Plan Litig.*, 112 F. Supp. 3d 993 (N.D. Cal. 2015).
- Lead Florida trial and appellate counsel in defending a national mobile service provider in class action alleging that retailer overcharged sales tax. Case favorably resolved for client by precedent-setting appellate decision regarding enforceability of arbitration agreements. *MetroPCS Commc'ns, Inc., v. Porter*, 273 So. 3d 1025 (Fla. 3d DCA 2018).
- Lead counsel in class action filed against prepaid cell phone company alleging violations of the Electronic Fund Transfer Act, 15 U.S.C. § 1693. Matter resolved by voluntary dismissal by named plaintiff. *Gamroth v. TracFone Wireless, Inc.*, No. 2:12-cv-00187 (E.D. Wis. 2012).
- Lead counsel for loan servicer in class action lawsuit under the Fair Debt Collection Practices Act (FDCPA) and the Florida Consumer Collection Practices Act (FCCPA) relating to alleged unlicensed debt collection activity. Matter resolved by voluntary dismissal by named plaintiff. *Ledon v. SN Servicing Corp.*, 1:16-cv-21789 (S.D. Fla. 2016).
- Represented life insurer in class action lawsuit alleging improper marketing practices for life insurance products. Obtained order dismissing the case. *Patel v. Catamaran Health Sols., LLC*, No. 0:15-cv-61891, 2016 WL 5942475 (S.D. Fla. Jan. 14, 2016).
- Represented mortgage insurance provider in class action lawsuit for purported violations of the FDCPA and the FCCPA stemming from alleged acts and omissions taken in connection with foreclosure actions filed in Florida state court to foreclose a home equity line of credit. Matter resolved by voluntary dismissal by named plaintiff. *Fernandez v. United Guar. Residential Ins. Co. of N.C.*, No. 8:16-cv-00638 (M.D. Fla. 2016).
- Represented prominent bank in matter against several banks alleging improper foreclosure practices. Obtained order dismissing claim under the FDCPA based on the *Rooker-Feldman Blum v. Glen Garron, LLC*, 51 F. Supp. 3d 1286 (S.D. Fla. 2014).
- Lead Florida counsel for multistate bank in class action lawsuit alleging receipt of unlawful check cashing fees. Obtained precedent-setting appellate orders establishing standards for amount in controversy under the Class Action Fairness Act. *McDaniel v. Fifth Third Bank*, 568. F. App'x 729 (11th Cir. 2014).
- Represented large timeshare company in class action lawsuit removed to federal court under the Class Action Fairness Act. Obtained orders rejecting remand to

state court and granting dismissal of FDUTPA and related claims. *Perret v. Wyndham Vacation Resorts, Inc.*, 889 F. Supp. 2d 1333 (S.D. Fla. Aug. 28, 2012) (order granting motion to dismiss and closing case).

- Represented national bank in class action lawsuit alleging improper payday loans. Obtained order directing that case be resolved through arbitration. *Gunson v. BMO Harris Bank, N.A.*, 43 F. Supp. 3d 1396 (S.D. Fla. 2014).
- Represented five different banks in multiple class action lawsuits in the Southern District of Florida involving checking overdraft charges. *In re Checking Account Overdraft Litig.*, MDL No. 2036, 2011 WL 6811009 (S.D. Fla. Nov. 1, 2011).
- Represented defendant in one of the first data breach class action lawsuits in the country and negotiated favorable resolution. *Burrows v. Purchasing Power, LLC*, No. 1:12-cv-22800, 2013 WL 10167232 (S.D. Fla. Oct. 7, 2013).
- Represented leading multistate bank in class action lawsuit alleging that certain loans were improper. Obtained transfer of case to the Northern District of Ohio. *Laskaris v. Fifth Third Bank*, 962 F. Supp. 2d 1297 (S.D. Fla. 2013).
- Represented automobile finance lender in class action lawsuit alleging violations of the Uniform Commercial Code relating to automobile repossessions. Case resolved by voluntary dismissal following motion to compel arbitration on an individual basis. *Jackson v. CIC Funding, LLC*, No. 2013-21683-CA-01 (Fla. Cir. Ct. 2013).
- Represented lender in RICO class action lawsuit alleging improper practices with respect to consumer loans in Florida. Obtained dismissal of complaint and affirmance on appeal. *Lawrie v. Ginn Dev. Co.*, 656 F. App'x 464 (11th Cir. 2016).
- Represented several companies in M&A strike suit class action lawsuit in the Delaware Court of Chancery. *In re Netsmart Techs., Inc. Shareholders Litig.*, 924 A.2d 171 (Del. Ch. 2007).

In connection with his class action work, Aaron recently co-chaired the ABA Commercial and Business Litigation Section's Class Action Subcommittee. Aaron is presently serving on the Florida Bar Consumer Protection Law Committee and is currently co-chairing its CLE subcommittee.

### **Telephone Consumer Protection Act Litigation**

Litigation involving the federal TCPA has increased dramatically in the last several years. While many firms across the country have only recently fielded teams in this area, Aaron has been involved in TCPA cases filed as early as 2009. Many of the cases he litigated have involved issues of first impression. His notable TCPA cases include:

- Obtained precedent-setting order addressing intersection between requirements to disclose contact information for TCPA class notice and consumer privacy considerations. *Ezold v. TracFone Wireless, Inc.*, 20-21346-CIV, 2020 WL 6144632 (S.D. Fla. Oct. 16, 2020).
- Obtained order providing that our client was entitled to reimbursement in connection with responding to a subpoena in a TCPA class action. The order was entered against significant opposition from the party that served the subpoena. The court awarded *six times* the amount that party that served the subpoena offered to provide. *Cook v. Palmer, Reifler & Assocs.*, No. 3:16-cv-00673, 2019 WL 5697230 (M.D. Fla. Nov. 4, 2019).

- Obtained dismissal of TCPA claim based on argument that allegations relating to autodialing were implausible. This was the first reported decision from a court in the Eleventh Circuit applying the plausibility standard to a TCPA pleading. *McGinity v. TracFone Wireless, Inc.*, 5 F. Supp. 3d 1337 (M.D. Fla. 2014).
- Obtained decision finding TCPA claims subject to contractual jury trial waiver. *Newton v. Wells Fargo Bank N.A.*, No. 3:13-cv-01017, 2013 WL 5854520 (M.D. Fla. Oct. 30, 2013).
- Obtained order finding TCPA claims subject to arbitration. *Levingston v. TracFone Wireless, Inc.*, No. 3:13-cv-08265, 2014 WL 12915515 (D. Ariz. Feb. 28, 2014).
- Obtained dismissal of TCPA claims where plaintiff sought recovery for pre-recorded voice calls while alleging they spoke with a live person from defendant's company. *Duran v. Wells Fargo Bank, N.A.*, 878 F. Supp. 2d 1312 (S.D. Fla. 2012).
- Obtained order clarifying rules governing consent to be called on a cellphone under the TCPA. *Gray v. Morgan Drexen, Inc.*, 2:13-cv-0083, 2014 WL 2573227 (M.D. Fla. June 9, 2014).
- Obtained order limiting scope of Fed. R. Civ. P. 30(b)(6) deposition. *Dayhoff v. Wells Fargo Home Mortg., Inc.*, No. 6:13-cv-01132, 2014 WL 12618185 (M.D. Fla. Apr. 9, 2014).
- Obtained order of first impression establishing standards for asserting third-party claims in TCPA cases. *Osorio v. State Farm Bank, F.S.B.*, 278 F.R.D. 671 (S.D. Fla. 2011).

Aaron has also represented parties in multiple class action cases around the country relating to alleged TCPA violations. These representations include:

- *Shcherb v. Angi Homeservices Inc.*, 1:19-CV-367-MKV, 2020 WL 2571041 (S.D.N.Y. May 21, 2020).
- *Gallant v. TracFone Wireless Inc.*, No. 1:19-cv-20580 (S.D. Fla. 2019).
- *Sawyer v. Intermex Wire Transfer, LLC*, No. 1:19-cv-22212, 2019 WL 8641365 (S.D. Fla. Sept. 13, 2019).
- *Albrecht v. Nat'l Bancorp Holdings, Inc.*, No. 8: 19-cv-00810, 2019 WL 8138433 (C.D. Cal. Sept. 13, 2019).
- *Luster v. Am. Sunshine, LLC*, No. 1:19-cv-03192, 2019 WL 6908049 (N.D. Ga. Oct. 21, 2019).
- *Becker v. HBN Media, Inc.*, 314 F. Supp. 3d 1342 (S.D. Fla. 2018).
- *Tickling Keys, Inc. v. Transamerica Fin. Advisors, Inc.*, 305 F. Supp. 3d 1342 (M.D. Fla. 2018).
- *Aqualogic, Inc. v. Sabon, Inc.*, 120 So. 3d 566 (Fla. 4th DCA 2013).
- *Guarisma v. Adcahb Med. Coverages, Inc.*, No. 1:13-cv-21016, 2014 WL 3533483 (S.D. Fla. Apr. 1, 2014).
- *Legg v. Transamerica Life Ins. Co.*, No. 0:14-cv-61665 (S.D. Fla. 2014).
- *Goebel Ins. Agency, Inc. v. Precise Payroll, LLC*, No. 2:16-cv-04775 (E.D. Pa. 2016).
- *Bloch v. TracFone Wireless, Inc.*, No. 1:16-cv-01372 (E.D.N.Y. 2016).
- *Family Care Partners of Ne. Fla. v. Capellon Pharm. LLC*, No. 4:16-cv-00007 (N.D. Fla. 2016).

Aaron also routinely counsels business clients on TCPA compliance and counsels insurance companies on TCPA-related coverage issues.

### **Telecommunications Fraud Prevention**

Telecommunications fraud is a major issue that impacts telecommunications companies and consumers. Aaron helped pioneer strategies to combat these problems. Carlton Fields is the only law firm in the country with a dedicated team working across the industry in this area.

As part of these efforts, Aaron first-chaired prosecutions of dozens of claims on behalf of several major wireless telephone services providers in litigation throughout the United States involving claims to combat retail subsidy fraud, intellectual property violations, and other fraud prevention matters.

Aaron obtained awards for his clients that total over a quarter of a billion dollars against hundreds of defendants. Many of the telecommunications fraud prevention victories he helped his clients achieve are profiled at:

<http://stopcellphonetrafficking.com/>.

Some of Aaron's notable awards on behalf of his clients in this area include:

- *TracFone Wireless, Inc. v. Nektova Grp., LLC*, 328 F.R.D. 664 (Jan. 11, 2019) (awarding our client \$10,031,000 in case alleging an international cell phone trafficking scheme with a Dubai-based cell phone trafficker).
- *TracFone Wireless, Inc. v. GCA Elecs., LLC*, 950 F. Supp. 2d 1326 (N.D. Ga. 2013) (awarding our client more than \$7.7 million in monetary sanctions against the defendant).
- *TracFone Wireless, Inc. v. Technopark Co.*, 313 F.R.D. 680 (S.D. Fla. 2016) (determining that Hong Kong-based company was in contempt for continued sale of cell phone unlocking and awarding our client \$1 million in contempt damages).
- *T-Mobile USA, Inc. v. Begum*, No. 1:11-cv-02542, 2011 WL 4090930 (E.D.N.Y. Aug. 17, 2011) (granting final judgment and permanent injunction in our client's favor arising from improper resale of cellphones and SIM cards).
- *TracFone Wireless, Inc. v. Holden Prop. Servs., LLC*, No. 1:14-cv-20959, 2014 WL 3585711 (S.D. Fla. July 21, 2014) (awarding our client \$839,775 in monetary sanctions against the defendant in scheme involving improper resale of cell phone airtime cards that were illegally cloned) and *TracFone Wireless, Inc. v. LaMarsh*, 98 F. Supp. 3d 828 (W.D. Pa. 2015) (ordering U.S. Marshal to auction off the defendant's property to allow our client to satisfy its judgment).
- *TracFone Wireless, Inc. v. SND Cellular, Inc.*, 715 F. Supp. 2d 1246 (S.D. Fla. 2010) (awarding our client statutory damages in the amount of \$11,370,000 arising from improper resale of mobile phones).
- *MagicJack LP v. JoiPhone, LLC*, No. 9:08-cv-81570, 2009 WL 10664672 (S.D. Fla. Aug. 19, 2009) (obtained judgment in favor of leading VOIP phone provider against a Singapore-based company involved in a fraudulent scheme).

### **International Telecommunications Matters**

Aaron has been at the forefront of extending new methods of service of U.S. legal process to defendants. His efforts in this area have resulted in more than a dozen separate published court opinions, including:

- *TracFone Wireless, Inc. v. CNT Wireless LLC*, No. 1:19-cv-24325, 2019 WL 5863911 (S.D. Fla. Nov. 8, 2019) (order authorizing service of process and subpoenas by FedEx on parties in Canada).
- *TracFone Wireless, Inc. v. Bequator Corp., Ltd.*, 717 F. Supp. 2d 1307 (S.D. Fla. 2010) (finding that service can be made to a defendant in Hong Kong by U.S. mail).
- *TracFone Wireless, Inc. v. Washington*, 290 F.R.D. 686 (M.D. Fla. 2013) (service may be made to a defendant in Peru by FedEx).
- *TracFone Wireless, Inc. v. Bitton*, 278 F.R.D. 687 (S.D. Fla. 2013) (service may be made to a defendant in Vietnam by email).

Aaron has also published several articles and delivered CLE presentations on this topic.

### **Insurance Matters**

Aaron frequently counsels several of the leading commercial insurers when their policyholders are involved in class action litigation and other complex litigation matters. Some of the matters include:

- Represented cyber liability carrier in dispute regarding potential coverage for a FACTA class action. *HUB Parking Tech. USA, Inc. v. Illinois Nat'l Ins. Co.*, 2:19-CV-727, 2019 WL 10634714 (W.D. Pa. Sept. 12, 2019).
- Represented D&O insurance carrier in successfully obtaining a bar order against future claims against objections from securities class action plaintiffs. *Brophy v. Salkin*, 550 B.R. 595 (S.D. Fla. 2015).
- Advised commercial liability insurer on issues related to potential coverage for a FDUTPA class action related to allegedly defective furniture. *Blobner v. R.T.G. Furniture Corp.*, 407 F. Supp. 3d 1270 (M.D. Fla. 2019).
- Advised D&O insurance carrier on claims under Florida's Assignment for Benefit of Creditors statute. *360fly, Inc. v. Osborne*, 2020 WL 6141580 (Fla. 17th Cir. Ct. Oct. 3, 2020).
- Counseled commercial liability insurer on issues related to coverage for the class settlement. *Legg v. Lab. Corp. of Am.*, No. 0:14-cv-61543, 2016 WL 3944069 (S.D. Fla. Feb. 18, 2016).
- Represented D&O insurance carrier in defeating objections by U.S. trustee and obtained bar order prohibiting further claims against its policyholder — a failed entertainment company. *In re Latitude 360, Inc.*, 603 B.R. 183 (Bankr. M.D. Fla. 2019).
- Lead counsel from filing through a five-day federal jury trial for an insurance carrier during four years of litigation seeking payment of underpaid premiums. At trial, client was awarded the complete amount of damages sought. Following trial, the court awarded the client more than 95% of its requested attorney's fees. *Home Assurance Co. v. Weaver Aggregate Transport, Inc.*, 298 F.R.D. 692 (M.D. Fla. 2014).
- Advised cyber liability insurers regarding issues related to settlement of a data privacy class action lawsuit. *Legg v. Spirit Airlines, Inc.*, 315 F.R.D. 383 (S.D. Fla. 2015).

### **General Litigation Matters**

In addition to his work on specialized telecommunications law, class action, and

consumer claims claims, Aaron has a broad range of experience in complex commercial matters. His notable representations include:

- Represented wireless service provider in dispute with former master dealer. *Wireless Shop, LLC v. TracFone Wireless, Inc.*, No. 1:18-cv-23160, 2018 WL 6817054 (S.D. Fla. Oct. 15, 2018).
- Obtained order permitting service of subpoenas via FedEx or UPS as such methods are reasonably calculated to ensure receipt of the subpoena by the witness. *TracFone Wireless, Inc. v. SCS Supply Chain LLC*, No. 1:19-cv-20604, 2019 WL 1323116 (S.D. Fla. Feb. 22, 2019).
- Obtained \$2.2 million judgment and injunction in favor of leading software distributor in case against software infringer. *Microsoft Corp. v. Tech HQ, Inc.*, No. 0:16-cv-62633, 2018 WL 941721 (S.D. Fla. Feb. 2, 2018).
- Represented wireless service provider in prosecuting claims against former distributor. Successfully opposed dismissal of the majority of claims. *TracFone Wireless, Inc. v. Simply Wireless, Inc.*, 275 F. Supp. 3d 1332 (S.D. Fla. 2017).
- Represented nonparty subpoena recipient in obtaining almost \$25,000 in attorneys' fees incurred in connection with responding to a subpoena. *Silverman v. Falcone*, No. 9:14-cv-80407, 2015 WL 5836775 (S.D. Fla. Sept. 24, 2015).
- Obtained injunction and judgment of \$910,000 against company engaged in improper distribution of computer software. *Microsoft Corp. v. Tech Emporium Enters., Inc.*, No. 1:17-cv-00141, 2018 WL 6137199 (N.D. Fla. Jan. 16, 2018).
- Represented chairman of Fortune 50 company in suit by allegedly aggrieved claimant. Matter resolved by voluntary dismissal by plaintiff. *Young v. Hancock*, No. 1:17-cv-21473, 2017 WL 3113417 (S.D. Fla. Apr. 24, 2017).
- Represented wireless service provider in dispute with former agent and successfully defeated request for preliminary injunction. *Megatel Mobile, LLC v. TracFone Wireless, Inc.*, No. 2:17-cv-03837, 2017 WL 4544618 (D.N.J. Oct. 6, 2017).
- Prosecuted trademark infringement case on behalf of leading software distributor to combat improper distribution of software products. *Microsoft Corp. v. Your Shop Online, LLC*, No. 0:16-cv-61568, 2017 WL 2712944 (S.D. Fla. Feb. 10, 2017).
- Represented lending institutions in litigation involving enforcement of commercial loan documents, working closely with the FDIC to revive the *D'Oench Duhme* doctrine, which is asserted to bar claims against the successors to failed banking institutions. Drafted the briefs that became the template for motions the FDIC used in these matters all over the country, and was also asked to participate in hearings relating to the *D'Oench Duhme* doctrine throughout Florida. Notable decisions on this issue include: *1225 S.W. 8th St. Prop., Inc. v. Iberiabank*, No. 3D11-244, 2012 WL 944804 (Fla. 3d DCA 2012) (affirming dismissal with prejudice entered in favor of client on basis of FDIC superpowers) and *Iberiabank v. Coconut 41, LLC*, No. 2:11-cv-00321, 2012 WL 2345223 (M.D. Fla. June 11, 2012) (finding the federal court maintains mandatory continued jurisdiction after dismissal of FDIC when superpowers are invoked).
- Defended leading bank in defending claims related to alleged false imprisonment. Successfully defeated plaintiff's attempt to pursue claim for punitive damages. *Marshall v. Washington*, 487 F. App'x 523 (11th Cir. 2012).
- Prosecuted claims related to improper sales of products and obtained judgment for \$60,000 in favor of client. *TracFone Wireless, Inc. v. Ada*, No. 5:09-cv-00603, 2009 WL 10729585 (W.D. Okla. Aug. 3, 2009).

- Represented the owner of the world-famous “Versace Mansion” in foreclosure proceeding and devised a strategy to avoid foreclosure for more than 15 months by demanding that each of the more than 20 individuals who were members of the LLC that held the note establish they were diverse from the defendant. *VM S. Beach LLC v. Casa Casuarina, LLC*, No. 1:11-cv-24612, 2013 WL 1149657 (S.D. Fla. Mar. 19, 2013).
- Defended former directors and officers of a national airline in securities litigation in Florida state, federal, and bankruptcy courts, and obtained orders dismissing complaints from both state and federal judges. *Arnold v. McFall*, 839 F. Supp. 2d 1281 (S.D. Fla. 2011), and *Welt v. McFall*, No. CACE-12-030848, 2013 WL 5937319 (Fla. Cir. Ct. Aug. 26, 2013).
- Represented a leading cosmetic products company in antitrust litigation. Assisted with obtaining order of dismissal with prejudice and affirmance on appeal. *Duty Free Ams., Inc. v. Estée Lauder Cos., Inc.*, 797 F.3d 1248 (11th Cir. 2015).
- Represented a lender in navigating an “around the country” jurisdictional journey that involved: (1) prevailing in a contested removal proceeding from West Virginia state court to the Northern District of West Virginia; (2) then prevailing on heavily opposed transfer dispute from that court to the Middle District of Florida; (3) followed by obtaining a stay entered by the transferee federal court to allow summary judgment by a Florida state court to be entered. *Creative Commc’ns, LLC v. Iberiabank*, No. 5:14-cv-00036, 2014 WL 2111208 (N.D. W. Va. May 7, 2014).
- Represented bank in claim alleging improper loan servicing practices and obtained dismissal of improperly joined claims. *Barber v. America’s Wholesale Lender*, 289 F.R.D. 364 (M.D. Fla. 2013).
- Represented a leading component manufacturer in obtaining a judgment against a distributor. *Esys Latin Am., Inc. v. Intel Corp.*, 925 F. Supp. 2d 1306 (S.D. Fla. 2013).
- Represented Brazil-based bank in contesting attempted use of 28 U.S.C. § 1782 by Brazilian bankruptcy trustee for discovery in Brazil. Obtained a precedent-setting order staying proceeding pending resolution of issues in Brazil and Cayman Islands courts. *In re Application of Alves Braga*, 789 F. Supp. 2d 1294 (S.D. Fla. 2011).
- Successfully contested subpoenas and obtained fees for client. *Learning Connections, Inc. v. Kaufman, Englett & Lynd, PLLC*, 282 F.R.D. 574 (M.D. Fla. 2012).
- Defended telecommunications company in lawsuit challenging eligibility for free cell phones under the federal Lifeline program. *Schipke v. TracFone Wireless, Inc.*, 146 F. Supp. 3d 455 (D. Conn. 2015).
- Defended antitrust claims on behalf of international company in litigation lasting nearly 10 years through state and federal trial and appellate courts. *MYD Marine Distrib., Inc. v. Int’l Paint Ltd.*, 151 So. 3d 1263 (Fla. 4th DCA 2014).
- Represented nationally known recording artist in dispute with a service vendor. *Marley v. Jetshares Only, LLC*, 767 F. Supp. 2d 1337 (S.D. Fla. 2011).

## All Insights

11.06.2020 Forum Selection May Be Viable For Fla. Consumer Claims  
**Law360**

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08.31.2020	Bar Orders Must Be Integral To Settlement in Order To Be Essential
08.10.2020	What a Couple of TCPA Vets Are Watching Now That the High Court Has Saved the TCPA <i>Daily Business Review</i>
07.29.2020	What Split on Standing Means for Fla. Consumer Claims <i>Law360</i>
06.08.2020	Why Fla. Courts Are Split on Unfairness Under Consumer Law <i>Law360</i>
04.27.2020	COVID-19 Insurance Coverage Class Actions
04.15.2020	Are COVID-19 Business Interruption Claims Appropriate for a Coverage Class Action?
03.23.2020	FCC Issues Declaratory Ruling Regarding COVID-19-Related Messages
11.07.2019	Two Days in October Result in Two Different Rulings by District Court Judges in the Southern District of Florida Regarding Standing to Seek Injunctive Relief on Behalf of a Class
04.09.2019	Food for Thought: A Review of 2018 Litigation
03.23.2018	District Courts Split on Whether Bristol-Myers Squibb's Specific Personal Jurisdiction Analysis Bars Nationwide Class Actions In Districts Beyond Defendant's Home Venue
11.30.2017	Southern District of Florida Amends Local Rules
05.19.2017	Eleventh Circuit Deems Voluntary Dismissal of a Coverage Action Sufficient to Award Attorneys' Fees to a Policyholder as the Prevailing Party
04.10.2017	Spokeo Leaves Lower Courts to Wrangle With Article III Standing Issues
12.07.2016	What's New For Southern District Of Florida Local Rules
12.05.2016	New Amendments to Federal Rules of Civil Procedure
06.30.2016	Supreme Court's Spokeo Decision Leaves Questions Unresolved

- 05.17.2016 Supreme Court's Spokeo Decision Leaves Questions Unresolved
- 
- 04.26.2016 Supreme Court Rules Against Using Settlement Offers to Moot Class Actions
- 
- 03.30.2016 Federal Court Issues \$1 Million Contempt Award for Repeated Cell Phone Unlocking Misconduct
- 
- 02.24.2016 Move Along; Nothing to See in Ninth Circuit's TCPA Opinion
- 
- 12.03.2015 Extensive Changes to the Federal Rules of Civil Procedure
- 
- 09.27.2015 Florida District Court Affirms Bankruptcy Court Bar Order In Favor Of Former Ds & Os
- 
- 08.27.2015 6th Circuit Rules Prior Express Consent Defeats Mortgagor TCPA Claim Against Lender
- 
- 05.07.2015 Eleventh Circuit Court of Appeals: Warrantless Cell Site Data Constitutional
- 
- 03.25.2015 Eleventh Circuit Says No to Mooting Class Actions with Individual Offers of Judgment
- 
- 12.22.2014 Eleventh Circuit Reverses Mais
- 
- 03.31.2014 Courts Continue to Wrestle with TCPA Consent
- 
- 11.08.2013 The Top Three Unsettled Telephone Consumer Protection Act Issues
- 
- 12.22.2011 Service Abroad Under Federal Rule of Civil Procedure 4(f)(3)
- 
- 09.15.2011 The Status of Service By Mail in the Eleventh Circuit

### **All News**

- 08.17.2020 Carlton Fields' Aaron Weiss Quoted in Law360 on \$8 Million Judgement in Favor of TracFone in Phone Trafficking Lawsuit
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- 08.10.2020 Carlton Fields' Aaron Weiss Authors Article About TCPA Supreme Court Ruling
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07.29.2020	Carlton Fields' Aaron Weiss Authors Law360 Article on Florida Deceptive and Unfair Trade Practices Act Split on Standing
06.08.2020	Aaron Weiss Authors Law360 Article on Florida Deceptive and Unfair Trade Practices Act Unfairness
03.04.2020	Postmates Escapes Robotext Claim in California
02.19.2020	Seventh Circuit Says AT&T Autodialer Doesn't Break U.S. Law
12.10.2019	Carlton Fields Telecommunications Attorneys Win 2019 Most Effective Lawyers Award
06.21.2019	High Court Punt Plunges TCPA Suits Into Greater Uncertainty
05.15.2019	TracFone Slams Bid to Nix Phone-Smuggling Suit
03.26.2018	Aaron Weiss Named to Law360's Telecommunications Editorial Advisory Board
08.23.2017	Blockchain Technology: Inevitable Disruption or Inflated Hype
03.03.2017	Aaron Weiss Named to Law360's Telecommunications Editorial Advisory Board

## Professional & Community Involvement

- American Bar Association
  - Co-Chair, Class Actions Subcommittee, Commercial and Business Litigation Committee, Section of Litigation (2011–2013)
- The Florida Bar
- Miami-Dade Chamber of Commerce
  - Graduate, Leadership Miami (2010–2011)
- Dade County Bar Association
  - Frequent presenter and conference panelist/moderator
- *Law360*
  - Telecommunications Editorial Advisory Board (2016–2020)
- Florida Bar Consumer Protection Law Committee (2020–present)
  - Co-Chair, CLE Subcommittee

## Speaking Engagements

- "Personal Jurisdiction in Class Actions After Bristol-Myers Squibb Co. v. Super. Ct. of Cal.," Strafford (July 28, 2020)
- "COVID-19 Insurance Coverage Class Actions," Carlton Fields (April 27, 2020)
- "Convergence of D&O Insurance Coverage With Bankruptcy & Insolvency," Turnaround Management Association, Atlanta, GA (August 2017)
- "What's New in Legal Technology for 2017," Dade County Bar Association 2017 Annual Bench and Bar Conference (February 2017)
- "Arbitration – Recent Developments," Dade County Bar Association 2016 Annual Bench and Bar Conference (February 2016)
- "December 1, 2015 Amendments to the Federal Rules of Civil Procedure," Dade County Bar Association (March 2016)
- "The Telephone Consumer Protection Act: Basics, Targeted Industries, and Trends," Carlton Fields Webinar (February 2015)
- "The Telephone Consumer Protection Act: Deep Dive: Details, Class Actions, Regulations, and Defense Strategies," Carlton Fields Webinar (February 2015)

#### CLE Presentations:

- "Amendments to Federal Rules of Civil Procedure," The Florida Bar approved CLE presentation
- "Application of FDIC Superpowers," The Florida Bar approved CLE presentation
- "Florida Service of Process," The Florida Bar approved CLE presentation

## Credentials

#### EDUCATION

- Columbia Law School (J.D., 2003)
- Binghamton University (B.A., summa cum laude, 2000)

#### BAR ADMISSIONS

- Florida
- New York

#### COURT ADMISSIONS

- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Eastern District of Arkansas
- U.S. District Court, Western District of Arkansas
- U.S. District Court, District of Colorado
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida
- U.S. District Court, Central District of Illinois
- U.S. District Court, Northern District of Illinois

- U.S. District Court, Southern District of Illinois
- U.S. District Court, Northern District of Indiana
- U.S. District Court, Southern District of Indiana
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Western District of Michigan
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, District of Nebraska
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Western District of Pennsylvania
- U.S. District Court, Western District of Tennessee
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Northern District of Texas
- U.S. District Court, Western District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- Florida State Courts
- New York State Courts
- U.S. Bankruptcy Court, Southern District of Florida

#### CLERKSHIPS

- Hon. James A. Belson, U.S. Court of

## Background

- Litigation Associate, O'Melveny & Myers LLP, New York, NY (2004–2007)
- Law Clerk to the Honorable James A. Belson, U.S. Court of Appeals for the District of Columbia (2003–2004)

## Areas of Focus

### PRACTICES

- Class Actions
- Consumer Finance
- Financial Elder Abuse
- Litigation and Trials
- Telecommunications
- Telephone Consumer Protection Act

### INDUSTRIES

- Banking, Commercial, and Consumer Finance
- Property and Casualty Insurance
- Securities & Investment Companies