

## Charles Throckmorton

### Partner

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Miami

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Charles Throckmorton represents clients in a wide range of complex litigation matters, offering concentrated experience litigating cases involving cryptocurrency, consumer claims, trade secrets, real property, contract disputes, business torts, unfair competition, and fraud. Charles also guides financial institutions in lender liability and other commercial actions and frequently defends corporate clients in consumer class actions.

His cryptocurrency litigation experience includes serving as lead counsel in dozens of matters in state and federal courts around the country, as well as in arbitration before JAMS and AAA.

In the employment law space, Charles defends clients in cases involving wage and hour disputes, FLSA misclassification, and allegations of retaliation or discrimination, and also represents clients before the EEOC.

Prior to joining Foley, he was a shareholder in the Miami office of a national law firm. Earlier in his career, Charles worked at the Peace Palace in The Hague, Netherlands, monitoring the International Criminal Court for the International Bar Association.

## Representative Experience

### Commercial Litigation

- Obtained favorable settlement in representing individual defendant in first-of-its-kind Federal Trade Commission cryptocurrency enforcement action.\*
- Represented cryptocurrency exchange in litigation and arbitration around the country, obtaining dismissal of all claims in numerous disputes.\*
- Obtained favorable settlement on behalf of large scale commercial developer in real property dispute.\*
- Obtained judgment on behalf of national bank in trial as lead trial counsel.\*
- Obtained favorable settlement on behalf of title company in breach of contract, unjust enrichment, and negligent misrepresentation case against commercial seller concerning closing funds.\*

- Obtained favorable settlement and quasi-injunctive relief representing digital advertisement company against competitor.\*
- Obtained favorable settlements representing telecommunications company in four simultaneous federal lawsuits seeking compensation from vendors involved in the deliberate exploitation of defective software.\*
- Obtained dismissal with prejudice of all claims on behalf of national bank in federal class action seeking to quiet title to thousands of properties and void valid and enforceable notes and mortgages.\*
- Defended software program manager in four-week federal jury trial involving trade secrets and defamation claims.\*

#### Class Action Defense

- *Verma v. Walden University*, No. 3:22-cv-00776 (M.D. Fla. 2023) (TCPA)
- *Taylor v. Citizens Telecom Servs. Co.*, No. 8:20-cv-00509 (M.D. Fla. 2020) (ERISA/COBRA).\*
- *Diaz v. Chapters Health Sys., Inc.*, No. 8:18-cv-03052, 2019 WL 1498873 (M.D. Fla. Apr. 1, 2019) (FCRA/FACTA).\*
- *Sawyer v. Intermex Wire Transfer, LLC*, No. 1:19-cv-22212, 2019 WL 8641365 (S.D. Fla. Sept. 13, 2019) (TCPA).\*
- *Luster v. Am. Sunshine, LLC*, No. 1:19-cv-03192, 2019 WL 6908049 (N.D. Ga. Oct. 21, 2019) (TCPA).\*
- *Ezold v. TracFone Wireless, Inc.*, No. 1:20-cv-21346, 2020 WL 6144632 (S.D. Fla. Oct. 16, 2020) (TCPA).\*
- *Nicholson v. TracFone Wireless, Inc.*, No. 1:21-cv-22213 (S.D. Fla. 2021) (TCPA).\*
- *Brownlee v. Allstate Ins. Co.*, No. 1:21-cv-01428 (N.D. Ill. 2021) (TCPA).\*
- *Miller v. Allstate Ins. Co.*, No. 1:21-cv-01202 (M.D. Fla. 2021) (TCPA).\*
- *Livingstone v. Discount Filters, LLC*, No. 0:19-cv-62131 (S.D. Fla. 2019) (TCPA).\*

#### Employment Litigation

- Defended national insurance company in FLSA collective action, and defeated motion for conditional certification by plaintiffs.\*
- Defended national employer in FLSA collective action involving alleged misclassification and unpaid wages.\*
- Defended terminal operator in overtime and retaliation suit.\*
- Defended telecommunications company against claims of wrongful termination.\*
- Defended employer in EEOC investigation related to alleged age and disability discrimination.\*

*\*Matters handled prior to joining Foley.*

#### Awards and Recognition

- Ones to Watch, Commercial Litigation, Labor and Employment Litigation, *The Best Lawyers in America*® (2021–2025)

- *Florida Super Lawyers* (2024-2025)

## Affiliations

- American Bar Association, Business Law Section
- March of Dimes, Board of Directors, South Florida Market (former)
- Florida Justice Institute, Board of Directors
- University of Virginia School of Law Regional Fundraising Manager for Southeast Florida alumni

## Community Involvement

A Miami native, Charles gives back to the community through his work with the Florida Justice Institute, March of Dimes, and other organizations.

## Presentations and Publications

- “Changes to Florida’s Telemarketing Statutes,” West LegalEdcenter/Thomson Reuters (September 2021)
- “Esports Hits the Big Leagues,” Venture Cafe Miami, Miami, FL (January 2020)
- Southern District of Florida Federal Court Observer Program (2015–2017)

## Practice Areas

- [Commercial Litigation](#)
- [Litigation](#)

## Education

- University of Virginia School of Law (J.D., 2012)
  - Editorial Board, *Virginia Journal of International Law*
- Duke University (B.A., 2008)

## Admissions

- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Southern District of Texas
- U.S. Court of Appeals, Eleventh Circuit
- Florida