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Musick Peeler Partner Daniel Taylor Secures Another Full Dismissal of CIPA “Trap and Trace” Claims for Client Wildflower Brands, LLC

Partner Daniel Taylor has secured a complete victory on behalf of its client, Wildflower Brands, LLC, a leading cellphone accessory e-tailer, from a lawsuit brought under the California Invasion of Privacy Act (CIPA): *Heiting v. Wildflower Brands, LLC* (Superior Court of California, County of Los Angeles, 25STCV18507).

Judge Thomas D. Long dismissed the action with prejudice and delivered an unequivocal ruling interpreting CIPA's "pen register" and "trap and trace" provisions (California Penal Code section 638.51). Judge Long held that both the statutory structure and legislative history demonstrate that Section 638.51 unambiguously applies to telephones and does not extend to analytics or tracking technologies deployed on commercial websites. In sustaining Wildflower's demurrer without leave to amend, the court concluded that the plaintiff's claims could not be cured, bringing the case to a definitive close in favor of Wildflower Brands.

"We appreciate the court's well-reasoned decision," Taylor said. "The court recognized that CIPA's 'trap and trace' provisions were designed for a fundamentally different context and cannot be stretched to cover standard website analytics."

"We are grateful for the court's decisive ruling and for the successful defense mounted by Daniel Taylor and the Musick Peeler legal team," said Wildflower Brand's President, Dave Carlson. "Our company respects its customer's privacy, and we hope this ruling sends a clear message: Wildflower Brands will vigorously defend its operations against meritless litigation, and opportunistic claims will not result in a payday."

Recent years have seen a surge in CIPA-based litigation by plaintiffs trying to apply old wiretapping statutes to commonplace website technologies. These lawsuits target businesses that use common analytics tools on their website, creating uncertainty for any business with an Internet presence.

Taylor's series of wins, including *Rodriguez v. Ink America*, *Heiting v. Wildflower* and others have pushed back on this trend and demonstrate that website operators can successfully defend against such claims.

About Daniel Taylor

Daniel Taylor is a Partner at Musick Peeler, co-chair of its Business Litigation Practice Group, and member of its Intellectual Property Practice Group. Mr. Taylor has extensive experience representing companies in high-stakes cases involving consumer privacy, data protection, and class action defense. He has become a go-to attorney for corporations facing CIPA lawsuits. His expertise in privacy law, coupled with his strategic litigation approach, makes him a key ally for in-house counsel navigating the evolving landscape of digital privacy compliance. For more information, contact Daniel at D.Taylor@musickpeeler.com or (213) 629-7716.

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About Wildflower

Wildflower Brands, LLC is a family-owned and operated company that has evolved into a global smartphone fashion accessory and social media brand. Its products are available through the Wildflower Cases website, www.wildflowercases.com, as well as at leading retailers worldwide.