



United States of America  
FEDERAL TRADE COMMISSION  
East Central Region

1111 Superior Avenue, Suite 200  
Cleveland, Ohio 44114  
(216) 263-3455

Jon Miller Steiger  
Director

August 23, 2022

**CEASE AND DESIST DEMAND**

*VIA EMAIL TO:*  
*droberts@cytranet.com*

Telecommunications Firm LLC  
c/o Doug Roberts, CTO  
455 East Pebble Road, Suite 230801  
Las Vegas, NV 89123

We have determined that Telecommunications Firm LLC is apparently routing and transmitting illegal robocall traffic, directly or indirectly, for entities involved in the following campaigns:

- Amazon imposter – suspicious charge
- DirecTV imposter – discount
- Law enforcement or legal action notice

More specifically, our investigation revealed that Telecommunications Firm LLC apparently routed and transmitted illegal robocalls, as set forth in Attachment A.

The Federal Trade Commission (FTC) works closely with USTelecom's Industry Traceback Group (ITG), which is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks.<sup>1</sup> Between April 8, 2022 and June 14, 2022, ITG investigated 11 prerecorded voice message calls that law enforcement, voice service providers using honeypots (i.e., unassigned numbers held by providers to detect illegal robocalls), and customers of YouMail had flagged as illegal robocalls made without consent of the called party.<sup>2</sup> ITG conducted tracebacks and determined that Telecommunications Firm LLC routed and transmitted the calls. ITG previously notified you of these calls and provided you access to supporting data identifying each call—including a recording of the illegal robocall—as indicated in Attachment A. Further, the numerous traceback notices directed to Telecommunications Firm

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<sup>1</sup> See Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, 133 Stat. 3274, Sec. 13(d) (2019) (TRACED Act).

<sup>2</sup> See 16 C.F.R. § 310.4(b)(1)(v).

LLC indicate that you are apparently routing and transmitting illegal robocall traffic knowingly. **IF YOU ARE ENGAGED IN THESE ACTIVITIES, THEN YOU MUST IMMEDIATELY CEASE AND DESIST FROM ENGAGING IN THEM.**

The FTC, the nation’s consumer protection agency, enforces the Federal Trade Commission Act (FTC Act), 15 U.S.C. § 45 et seq., which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the Telemarketing Sales Rule (TSR), 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing practices. Section 310.3(b) of the TSR prohibits “assisting and facilitating” certain specified conduct.<sup>3</sup> Under that provision, it is unlawful for any person or entity to “provide substantial assistance or support to any seller or telemarketer when that person knows or consciously avoids knowing that the seller or telemarketer is engaged in any act or practice that violates Sections 310.3(a), (c), or (d), or Section 310.4 of this Rule.” These Sections prohibit, among others, the following conduct:

- Making a false or misleading statement to induce any person to pay for goods or services or to induce a charitable contribution (16 C.F.R. § 310.3(a)(4));
- Misrepresenting a seller or telemarketer’s affiliation with any government entity (16 C.F.R. § 310.3(a)(2)(vii));
- Transmitting false or deceptive caller ID numbers (16 C.F.R. § 310.4(a)(8));
- Initiating or causing the initiation of calls that deliver prerecorded messages,<sup>4</sup> unless the person called provided the seller express written permission to call (16 C.F.R. § 310.4(b)(1)(v)); and
- Initiating or causing the initiation of telemarketing calls to numbers listed on the National Do Not Call Registry, unless the person called provided express written permission to receive calls from the seller or the seller had an existing business relationship with the person called (16 C.F.R. § 310.4(b)(1)(iii)(B)).

The FTC can obtain civil penalties for TSR violations. Each illegal call is subject to a maximum civil penalty of \$46,517. *See* 16 C.F.R. § 1.98. In addition, a violation of the TSR is a violation of Section 5 of the FTC Act. *See* 15 U.S.C. §§ 6102(c), 57a(d)(3), 45(a). Accordingly, the FTC has authority to seek both preliminary and permanent injunctive relief to address TSR violations. *See* 15 U.S.C. § 53(b). The FTC may also seek the refund of money or payment of damages to address TSR violations. *See* 15 U.S.C. § 57b(b).

Combatting illegal telemarketing is a top priority for the FTC, with a special emphasis on halting illegal robocalls.<sup>5</sup> We want you to be aware that the FTC has, for example, brought assisting and facilitating claims against technology companies that knowingly provided software and servers used by illegal robocallers, even though these technology companies did not contract

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<sup>3</sup> A copy of the TSR is attached as Attachment B.

<sup>4</sup> These calls are often referred to as “robocalls.”

<sup>5</sup> In fiscal year 2021, the FTC received more than 5 million complaints about unwanted calls, including more than 3.42 million robocall complaints. The FTC maintains an interactive Tableau Public web page that publishes details about do not call complaints on a quarterly basis. *See* <https://public.tableau.com/profile/federal.trade.commission#!/vizhome/DoNotCallComplaints/Maps>.

directly with the illegal robocallers. *See FTC v. James B. Christiano*, Case No. 8:18-cv-00936 (C.D. Cal. May 31, 2018).

We also bring to your attention that the FTC has sued VoIP service providers for allegedly violating the TSR. In *FTC v. Educare*, the FTC alleged that defendant Globex Telecom, Inc. assisted and facilitated telemarketers it knew, or consciously avoided knowing, were violating the TSR's prohibitions on calls delivering prerecorded messages. *See FTC v. Educare Centre Services, Inc.*, No. 3:19-cv-00196-KC (W.D. Tex. Dec. 3, 2019).<sup>6</sup> In September, 2020, Globex Telecom and its associates agreed to pay \$2.1 million to settle the FTC lawsuit, and Globex Telecom's former CEO and President was banned from telemarketing to the U.S. and was subject to a permanent court order.<sup>7</sup> Similarly, in *FTC v. Alcazar Networks, Inc.*, the FTC alleged that Alcazar Networks, Inc. and its founder and sole owner assisted and facilitated telemarketers responsible for tens of millions of illegal telemarketing calls, including robocalls and spoofed calls that displayed "911" as the caller ID. *See FTC v. Alcazar Networks Inc., et al.*, No. 6:20-cv-2200 (M.D. Fla. Dec. 3, 2020).<sup>8</sup> As part of their settlement with the FTC in January 2021, the defendants agreed to a permanent injunction that prohibits similar misconduct in the future and requires them to screen and monitor their customers, as well as imposing a monetary penalty.<sup>9</sup>

The FTC has business educational materials that can assist you in complying with the TSR. *See* <https://www.ftc.gov/tips-advice/business-center/guidance/complying-telemarketing-sales-rule>.

In addition to FTC regulations and the FTC's actions against providers of VoIP services, you should also be aware that the United States Department of Justice (DOJ), state attorneys general, and other agencies have brought civil actions against VoIP companies and their owners. In two cases, DOJ alleged that the defendants were committing and conspiring to commit wire fraud by knowingly transmitting robocalls that impersonated federal government agencies.<sup>10</sup> In August 2020, a federal district court entered a permanent court order barring the defendants from conveying telephone calls into the U.S. telephone system.<sup>11</sup> State cases have had similar impacts.<sup>12</sup>

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<sup>6</sup> A copy of the FTC's Amended Complaint is attached as Attachment C.

<sup>7</sup> *See* <https://www.ftc.gov/news-events/press-releases/2020/09/globex-telecom-associates-will-pay-21-million-settling-ftcs-first>.

<sup>8</sup> A copy of the FTC's Complaint is attached as Attachment D.

<sup>9</sup> *See* <https://www.ftc.gov/news-events/press-releases/2020/12/ftc-takes-action-against-second-voip-service-provider>.


<sup>10</sup> *See* <https://www.justice.gov/opa/pr/department-justice-files-actions-stop-telecom-carriers-who-facilitated-hundreds-millions>.

<sup>11</sup> *See* <https://www.justice.gov/opa/pr/district-court-enters-permanent-injunction-shutting-down-telecom-carriers-who-facilitated>.

<sup>12</sup> For example, the Vermont and Michigan Attorneys General have brought successful actions against VoIP providers who route scam robocall traffic. *See* <https://ago.vermont.gov/blog/2021/04/28/attorney-general-donovan-announces-settlement-with-scam-robocall-carrier/>;

Within three business days, please send a message to FTC attorney Fil Maria de Banate, via electronic mail at [fdebanate@ftc.gov](mailto:fdebanate@ftc.gov), certifying that Telecommunications Firm LLC has ceased engaging in the activities described above that may subject it to liability under the TSR or the FTC Act. Please direct any inquiries regarding this letter to Mr. de Banate by email or by telephone at 216.263.3413.

Sincerely,

  
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Jon Miller Steiger  
Director

Enclosures:

Attachment A (Chart of illegal robocalls)

Attachment B (TSR)

Attachment C (*Educare* Amended Complaint)

Attachment D (*Alcazar* Complaint)

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[https://www.michigan.gov/documents/ag/Assurance\\_of\\_Voluntary\\_Compliance\\_-\\_All\\_Access\\_Telecom\\_FINAL\\_9-11-20\\_702047\\_7.pdf](https://www.michigan.gov/documents/ag/Assurance_of_Voluntary_Compliance_-_All_Access_Telecom_FINAL_9-11-20_702047_7.pdf), and,  
<https://www.michigan.gov/ag/0,4534,7-359--536108--s,00.html>.

# ATTACHMENT A

<b>Date of ITG Notification</b>	<b>Date of Call</b>	<b>Caller ID</b>	<b>Robocall Campaign Identifier</b>	<b>Link to Robocall Recording</b>	<b>Potential Violation</b>
6/14/2022	6/11/2022	3176195396	Amazon-SuspiciousCharge	<a href="https://portal.tracebacks.org/api/public/attachments/892648">https://portal.tracebacks.org/api/public/attachments/892648</a>	16 C.F.R. § 310.4(b)(1)(v)
5/25/2022	5/24/2022	8669758649	Discount-DirecTV50	<a href="https://portal.tracebacks.org/api/public/attachments/872743">https://portal.tracebacks.org/api/public/attachments/872743</a>	16 C.F.R. § 310.4(b)(1)(v)
5/25/2022	5/24/2022	8883723371	Discount-DirecTV50	<a href="https://portal.tracebacks.org/api/public/attachments/872731">https://portal.tracebacks.org/api/public/attachments/872731</a>	16 C.F.R. § 310.4(b)(1)(v)
5/17/2022	5/6/2022	4166592851	Amazon-SuspiciousCharge-P1	<a href="https://portal.tracebacks.org/api/public/attachments/838915">https://portal.tracebacks.org/api/public/attachments/838915</a>	16 C.F.R. § 310.4(b)(1)(v)
5/12/2022	5/2/2022	3364586370	LegalDept-Action-P1	<a href="https://portal.tracebacks.org/api/public/attachments/832645">https://portal.tracebacks.org/api/public/attachments/832645</a>	16 C.F.R. § 310.4(b)(1)(v)
5/9/2022	5/5/2022	5877594998	Amazon-SuspiciousCharge-P1	<a href="https://portal.tracebacks.org/api/public/attachments/838935">https://portal.tracebacks.org/api/public/attachments/838935</a>	16 C.F.R. § 310.4(b)(1)(v)
5/9/2022	5/7/2022	3368596647	Amazon-SuspiciousCharge-P1	<a href="https://portal.tracebacks.org/api/public/attachments/838932">https://portal.tracebacks.org/api/public/attachments/838932</a>	16 C.F.R. § 310.4(b)(1)(v)
5/9/2022	5/5/2022	5877599703	Amazon-SuspiciousCharge-P1	<a href="https://portal.tracebacks.org/api/public/attachments/838927">https://portal.tracebacks.org/api/public/attachments/838927</a>	16 C.F.R. § 310.4(b)(1)(v)
5/6/2022	5/5/2022	9177790674	Legal-Consequences	<a href="https://portal.tracebacks.org/api/public/attachments/836686">https://portal.tracebacks.org/api/public/attachments/836686</a>	16 C.F.R. § 310.4(b)(1)(v)
4/20/2022	4/19/2022	8337532536	Amazon-SuspiciousCharge-P1	<a href="https://portal.tracebacks.org/api/public/attachments/817194">https://portal.tracebacks.org/api/public/attachments/817194</a>	16 C.F.R. § 310.4(b)(1)(v)
4/8/2022	4/7/2022	7033003964	Amazon-SuspiciousCharge-P1	<a href="https://portal.tracebacks.org/api/public/attachments/800137">https://portal.tracebacks.org/api/public/attachments/800137</a>	16 C.F.R. § 310.4(b)(1)(v)