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15
16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 FEDERAL TRADE COMMISSION,
19
20 Petitioner,
21
22 v.
23 DELTRACON INC.,
24 Respondent.
25

Civ. No. 8:21-mc-25

**PETITION TO ENFORCE
CIVIL INVESTIGATIVE
DEMAND**

26
27 1. Petitioner Federal Trade Commission (FTC or “the Commission”)
28 brings this action to enforce a civil investigative demand (CID) issued to

1 Respondent Deltracon Inc. (“Respondent”), pursuant to Section 20 of the FTC Act,
2 15 U.S.C. § 57b-1.

3 2. In support of this petition, the FTC simultaneously submits its
4 Memorandum of Law in Support of Petition to Enforce Civil Investigative Demand
5 and the Declaration of Sarah A. Shifley in Support of Petition to Enforce Civil
6 Investigative Demand (“Shifley Decl.”) and exhibits thereto (“Pet. Ex.”)

7 **JURISDICTION & VENUE**

8 3. This Court has subject matter jurisdiction to enforce the FTC’s CID.
9 15 U.S.C. § 57b-1(e), (h); 28 U.S.C. §§ 1331, 1337(a), 1345.

10 4. This Court has personal jurisdiction over Respondent and venue is
11 proper in this District because Respondent is found, resides, or transacts business
12 in this district. 15 U.S.C. § 57b-1(e); 28 U.S.C. § 1391.

13 **THE PARTIES**

14 5. Petitioner FTC is an independent agency of the United States
15 Government created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5 of
16 the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts and
17 practices in or affecting commerce, and the Telemarketing Sales Rule, 16 C.F.R. §
18 310, which prohibits deceptive and abusive telemarketing practices.

19 6. The FTC is authorized to issue process, including CIDs, requesting
20 materials, answers to interrogatories, and sworn testimony in an investigation to
21 determine if any natural person, partnership, corporation, association, or other legal
22 entity is or has been engaged in unfair or deceptive acts or practices in or affecting
23 commerce. 15 U.S.C. § 57b-1(c). The FTC is also authorized to investigate and to
24 initiate proceedings to prohibit such activities where appropriate.

25 7. Respondent Deltracon Inc., a Wyoming corporation, is located in
26 Irvine, California. *See* Shifley Decl. at ¶¶ 7, 10.

1 **THE FTC’S INVESTIGATION AND CID**

2 8. On April 1, 2016, the FTC issued a Resolution Directing Use of
3 Compulsory Process in a Nonpublic Investigation of Telemarketers, Sellers,
4 Suppliers, or Others (“the Resolution”). The purpose of the investigations
5 authorized by the Resolution are:

6 To determine whether unnamed telemarketers, sellers, or
7 others assisting them have engaged or are engaging in:
8 (1) unfair or deceptive acts or practices in or affecting
9 commerce in violation of Section 5 of the Federal Trade
10 Commission Act, 15 U.S.C. § 45 (as amended); and/or
11 (2) deceptive or abusive telemarketing acts or practices in
12 violation of the Commission’s Telemarketing Sales Rule,
13 16 C.F.R. pt 310 (as amended), including but not limited
14 to the provision of substantial assistance or support –
15 such as mailing lists, scripts, merchant accounts, and
16 other information, products, or services – to
17 telemarketers engaged in unlawful practices. The
18 investigation is also to determine whether Commission
19 action to obtain monetary relief would be in the public
20 interest.

21 Pet. Ex. 1 at 17.

22 9. Petitioner has reason to believe that Deltracon provides Voice over
23 Internet Protocol (VoIP) telephone services which allow callers to place telephone
24 calls over the Internet instead of through a traditional telephone line connection.
25 On January 8, 2021, the FTC issued a CID to Deltracon pursuant to the Resolution
26 seeking documents and information regarding potentially illegal telemarketing
27 calls made to consumers using Deltracon’s VoIP services and Deltracon’s efforts
28 to ensure compliance with the Telemarketing Sales Rule. Pet. Ex. 1 at 1, 3-6.

1 10. The FTC served the CID on Deltracon by delivering it via FedEx
2 (signature required) to Deltracon’s registered agent at the address provided by
3 Deltracon in its filings with the Wyoming Secretary of State. Shifley Decl. at ¶¶ 4-
4 5; Pet. Ex. 3.

5 11. Deltracon was required to respond to the CID by February 8, 2021,
6 but failed to do so. Shifley Decl. at ¶ 6.

7 12. On May 4, 2021, the FTC delivered the CID to Deltracon’s Irvine,
8 California, mailing address by certified mail. Shifley Decl. at ¶ 8; Pet Ex. 5.
9 Following delivery, the FTC emailed Deltracon’s owners Manjindar Takhar and
10 Kevin Montalvo, alerting them to delivery of the CID and requesting a phone
11 conference. Shifley Decl. at ¶ 9; Pet. Ex. 6.

12 13. On May 7, FTC staff spoke with Mr. Takhar and Mr. Montalvo. Mr.
13 Takhar and Mr. Montalvo confirmed that they were both owners of Deltracon and
14 that the address to which the CID was delivered on May 4 was the correct mailing
15 address for Deltracon. Mr. Montalvo and Mr. Takhar had not yet looked at the
16 CID, so they agreed to email the FTC the following Monday to confirm receipt of
17 the CID and schedule an additional phone conference. Shifley Decl. at ¶ 10.

18 14. On May 10, Mr. Takhar emailed the FTC confirming receipt of the
19 CID and requesting to schedule an additional phone conference. Staff and Mr.
20 Takhar scheduled a phone conference to speak on May 12. On May 11, Mr. Takhar
21 emailed the FTC cancelling the May 12 phone conference. Shifley Decl. at ¶¶ 11-
22 12; Pet Ex. 7. The FTC provided information for a rescheduled phone conference
23 on May 13. Neither Mr. Takhar nor Mr. Montalvo joined the May 13 phone
24 conference. Shifley Decl. at ¶¶ 12-13; Pet Ex. 7.

25 15. The FTC emailed Mr. Montalvo and Mr. Takhar on May 13 and
26 provided information for a second rescheduled phone conference on May 14.
27 Again, neither Mr. Montalvo nor Mr. Takhar joined the May 14 phone conference.
28 Shifley Decl. at ¶¶ 12-13; Pet Ex. 7.

1 16. On May 20, the FTC emailed Mr. Takhar and Mr. Montalvo notifying
2 them they were in default and again requesting a phone conference to discuss
3 compliance with the CID. The FTC also notified Mr. Takhar and Mr. Montalvo
4 that, should they fail to comply with the CID, the FTC may pursue judicial
5 enforcement. The FTC’s email requested a response by May 24. Neither Mr.
6 Takhar nor Mr. Montalvo responded by May 24, or any time thereafter. Shifley
7 Decl. at ¶ 14; Pet Ex. 8.

8 17. To date, Deltracon has failed to respond to the CID. Deltracon’s
9 failure to comply with the CID has materially impeded the FTC’s investigation.
10 Shifley Decl. at ¶¶ 15-16.

11 18. As set forth in greater detail in the attached Memorandum of Law, the
12 CID is within the statutory authority of the agency, complies with the requisite
13 procedural requirements, is reasonably relevant to the FTC’s investigation, and is
14 not unreasonably broad or burdensome. Therefore, the CID qualifies for judicial
15 enforcement.

16 **PRAYER FOR RELIEF**

17 Wherefore, Plaintiff FTC, pursuant to 15 U.S.C. § 57b-1 and the Court’s
18 own equitable powers, respectfully requests that the Court:

- 19 A. Issue an order, substantially in the form attached, directing Deltracon
20 to comply with the CID or to show cause why it should not be required to comply
21 with the CID;
- 22 B. If Deltracon does not comply with the CID, prompt determination of
23 this matter and entry of an order directing Deltracon to comply with the CID
24 within 10 days of entry of such order; and
- 25 C. Any other relief as this Court deems just and proper.

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Dated: July 16, 2021

/s/ Sarah A. Shifley

Reilly Dolan
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CENTRAL DISTRICT OF CALIFORNIA**

FEDERAL TRADE COMMISSION,

Petitioner,

v.

DELTRACON INC.,

Respondent.

Civ. No. 8:21-mc-25

**MEMORANDUM IN SUPPORT
OF PETITION TO ENFORCE
CIVIL INVESTIGATIVE
DEMAND**

The Federal Trade Commission (FTC or “the Commission”) respectfully petitions this Court to enforce a civil investigative demand (CID) issued to

1 Respondent Deltracon Inc. (“Deltracon”).¹ The CID requires Deltracon to produce
2 documents and respond to written questions concerning Deltracon’s Voice over
3 Internet Protocol (VoIP) services, which the FTC has reason to believe are being
4 used by telemarketers to place potentially illegal calls to consumers, including
5 those whose telephone numbers are listed on the National Do Not Call Registry.
6 *See* Petitioner’s Exhibit (“Pet. Ex.”) 1. To date, Deltracon has failed to respond to
7 the CID and, in doing so, has materially impeded the FTC’s investigation of
8 possible violations of Section 5 of the Federal Trade Commission Act (FTC Act),
9 15 U.S.C. § 45, and the Telemarketing Sales Rule, 16 C.F.R. § 310. *See*
10 Declaration of Sarah A. Shifley (“Shifley Decl.”) at ¶¶ 15-16. Accordingly, the
11 FTC respectfully requests that the Court enter an order to show cause against
12 Deltracon and, if appropriate, to enforce the CID and compel Deltracon to respond
13 to it.

14 **JURISDICTION AND VENUE**

15 Section 20 of the FTC Act authorizes the FTC to issue a CID to any person
16 who may have documents or information relevant to an investigation of potential
17 unfair or deceptive acts or practices. 15 U.S.C. §57b-1. The FTC may issue a CID
18 to require a person to produce documents, respond to written questions, or give
19 oral testimony under oath at an FTC investigational hearing. 15 U.S.C. § 57b-
20 1(c)(1). If the CID recipient does not comply, the FTC may petition the district
21 court where the recipient resides, is found, or transacts business for an enforcement
22 order. 15 U.S.C. § 57b-1(e).

23
24
25 ¹ A CID is a form of administrative compulsory process akin to a subpoena.
26 Congress modeled the FTC’s CID authority on the Antitrust Civil Process Act, 15
27 U.S.C. § 1311, which grants similar authority to the Department of Justice. *See*
28 H.R. CONG. REP. NO. 96-917 at 32 (1980), *reprinted in* 1980 U.S.C.C.A.N.
1143, 1149; S. REP. NO. 96-500 at 23-25 (1979), *reprinted in* 1980 U.S.C.C.A.N.
1102, 1124–26; *see also Gen. Fin. Corp. v. FTC*, 700 F.2d 366, 367-68 (7th Cir.
1983) (Posner, J.) (describing the FTC’s Section 20 CID as “a type of subpoena”).

1 The FTC issued a CID to Deltracon to investigate potential deceptive and
2 abusive acts or practices. Deltracon has failed to comply with that CID. As
3 confirmed by Deltracon’s owners, Deltracon’s headquarters is in Irvine, California.
4 Shifley Decl. at ¶ 10. This address is in Orange County and thus within the Central
5 District of California. Thus, because Deltracon resides, is found, or transacts
6 business in this district, jurisdiction and venue for this CID enforcement action are
7 properly laid in this Court.

8 **STATEMENT OF FACTS**

9 On April 1, 2016, the FTC issued a Resolution Directing Use of Compulsory
10 Process in a Nonpublic Investigation of Telemarketers, Sellers, Suppliers, or
11 Others (“the Resolution”). The purpose of the investigations authorized by the
12 Resolution are:

13 To determine whether unnamed telemarketers, sellers, or others
14 assisting them have engaged or are engaging in: (1) unfair or deceptive
15 acts or practices in or affecting commerce in violation of Section 5 of
16 the Federal Trade Commission Act, 15 U.S.C. § 45 (as amended; and/or
17 (2) deceptive or abusive telemarketing acts or practices in violation of
18 the Commission’s Telemarketing Sales Rule, 16 C.F.R. pt 310 (as
19 amended), including but not limited to the provision of substantial
20 assistance or support – such as mailing lists, scripts, merchant accounts,
21 and other information, products, or services – to telemarketers engaged
22 in unlawful practices. The investigation is also to determine whether
23 Commission action to obtain monetary relief would be in the public
24 interest.

25 Pet. Ex. 1.

26 On January 8, 2021, under the authority of the Resolution, the FTC issued a
27 CID to Deltracon requiring it to produce documents and to respond to written
28 questions. Pet. Ex. 1. The FTC issued its CID as part of its investigation into

1 entities that place potentially illegal telemarketing calls to consumers using
2 Deltracon's VoIP services, which allow callers to place telephone calls over the
3 Internet instead of via a traditional telephone line connection. *See id.* at 6 (stating
4 the "Subject of Investigation").

5 The FTC served the CID on Deltracon by delivering it to Deltracon's
6 registered agent. Shifley Decl. at ¶ 4; Pet. Ex. 3. The FTC subsequently delivered
7 copies of the CID to Deltracon's owners, Manjinder Takhar and Kevin Montalvo,
8 via certified mail. Pet. Ex. 5. Mr. Takhar and Mr. Montalvo confirmed receipt of
9 the CID on May 10, 2021. Shifley Decl. at ¶ 11; Pet. Ex. 7.

10 Deltracon was required to respond to the CID by February 8, 2021, but
11 failed to do so. Shifley Decl. at ¶ 6; Pet. Ex. 1 at 3. To date, Deltracon has failed to
12 respond to the CID and Deltracon's failure to comply with the CID has materially
13 impeded the FTC's investigation. Shifley Decl. at ¶¶ 15-16.

14 **LEGAL STANDARD**

15 Although "the court's function is 'neither minor nor ministerial,' the scope
16 of issues which may be litigated in a [compulsory process] enforcement proceeding
17 must be narrow, because of the important governmental interest in the expeditious
18 investigation of possible unlawful activity." *FTC v. Texaco, Inc.*, 555 F.2d 862,
19 872 (D.C. Cir. 1977) (*en banc*) (internal citation omitted); *NLRB v. North Bay*
20 *Plumbing, Inc.*, 102 F.3d 1005, 1007 (9th Cir. 1996).

21 This Court's role in a CID enforcement proceeding is thus limited to
22 determining whether the Commission demonstrates that: (1) Congress has granted
23 the authority to investigate; (2) the procedural requirements have been followed;
24 and (3) the evidence is relevant and material to the investigation. *North Bay*
25 *Plumbing, Inc.*, 102 F.3d at 1007; *accord FDIC v. Garner*, 126 F.3d 1138, 1142-43
26 (9th Cir. 1997). If the agency establishes these factors, "the subpoena should be
27 enforced unless the party being investigated proves the inquiry is unreasonable
28 because it is overbroad or unduly burdensome." *North Bay Plumbing, Inc.*, 102

1 F.3d at 1007 (quoting *E.E.O.C. v. Children’s Hospital Medical Center of Northern*
2 *California*, 719 F.2d 1426, 1428 (9th Cir. 1983) (*en banc*)). The government’s
3 burden to meet these requirements only requires a prima facie showing and can be
4 demonstrated by an affidavit of a governmental official. *Garner*, 126 F.3d at 1143.

5 An enforcement proceeding is properly instituted by a petition and order to
6 show cause (rather than by complaint and summons) and is summary in nature;
7 discovery or evidentiary hearings are generally not permitted, save in extraordinary
8 circumstances. *See, e.g., EEOC v. Karup Tribe Hous. Auth.*, 260 F.3d 1071, 1078
9 (9th Cir. 2001) (quoting *EEOC v. St. Regis Paper Co.*, 717 F.2d 1302, 1304 (9th
10 Cir. 1983)).

11 ARGUMENT

12 As demonstrated below, the FTC meets the legal standards for enforcement.
13 The FTC is authorized to conduct the investigation, it followed all applicable
14 procedural requirements in issuing the CID, the documents and information sought
15 are relevant to the FTC’s investigation, and there is no indication that the requested
16 documents and information are unreasonably broad or pose any burden to
17 Deltracon. Accordingly, the FTC respectfully requests that the Court enter its
18 proposed order to show cause and, if necessary, compel Deltracon to comply with
19 the CID.

20 **A. The Commission is Authorized to Conduct the Present Investigation.**

21 This investigation and the related CID fall within the FTC’s statutory
22 authority. The FTC has authority to enforce the provisions of the FTC Act, 15
23 U.S.C. §§ 41–58, and any rules promulgated under the FTC Act. *See* 15 U.S.C.
24 § 57b. Specifically at issue in this investigation are Section 5 of the FTC Act and
25 the Telemarketing Sales Rule. *See* Pet. Ex. 1 at 6 (identifying the “Subject of
26 Investigation”).

27 Section 5(a) of the FTC Act prohibits unfair or deceptive acts or practices in
28 or affecting commerce. 15 U.S.C. § 45(a). The Telemarketing Sales Rule, which

1 was issued by the FTC pursuant to 15 U.S.C. § 6102, prohibits telemarketers from
2 engaging in deceptive and abusive telemarketing acts or practices, including
3 calling consumers who have registered with the National Do Not Call Registry.
4 16 C.F.R. § 310.4. The Telemarketing Sales Rule also prohibits individuals from
5 initiating calls that deliver a prerecorded message and prohibits knowingly
6 providing “substantial assistance or support to any telemarketer” who engages in
7 deceptive or abusive telemarketing practices that violate the Rule. *See* 16 C.F.R.
8 § 310.3(b).

9 The FTC Act authorizes the FTC to investigate whether a person is or has
10 been engaged in unfair or deceptive acts or practices in or affecting commerce, and
11 to issue CIDs to any person who may have documents or information relevant to
12 such an FTC investigation. 15 U.S.C. § 57b-1(c)(1). The FTC may “investigate
13 merely on suspicion that the law is being violated, or even just because it wants
14 assurance that it is not.” *U.S. v. Morton Salt*, 338 U.S. 632, 642-643 (1950).

15 Here, Deltracon provides customers with the means to make potentially
16 illegal telemarketing calls to consumers, including consumers who have registered
17 their phone numbers with the National Do Not Call Registry and who do not want
18 to receive such calls. The CID seeks to uncover the identity of these entities, along
19 with additional information that will assist the FTC in investigating and deterring
20 future illegal calls. *See* Pet. Ex. 1 at 1, 6. The CID also seeks information regarding
21 Deltracon’s efforts to comply with the Telemarketing Sales Rule and any
22 awareness of such potentially illegal telemarketing calls. *See id.* Accordingly, the
23 requests at issue in the CID fall squarely within the enforcement authority
24 conferred on the Commission under the FTC Act and in connection with the
25 Telemarketing Sales Rule.

26 **B. The FTC Satisfied the Applicable Procedural Requirements in**
27 **Issuing the CID.**
28

1 The FTC's CID was also issued in compliance with applicable procedural
2 requirements of the FTC Act and its implementing rules. 15 U.S.C. § 57b-1(c); 16
3 C.F.R. § 2.7; *see also* Pet. Ex. 1. Specifically, a CID must:

- 4 • describe with “definiteness and certainty” the documentary material
5 and information to be produced;
- 6 • provide the respondent a “reasonable period of time” to respond to
7 these requests;
- 8 • identify the nature of the conduct being investigated;
- 9 • “identify the custodian to whom such material shall be made
10 available;”
- 11 • be “signed by a Commissioner” who is “acting pursuant to a
12 Commission resolution;” and
- 13 • be delivered “to the principal office or place of business of the
14 partnership, corporation, association, or other legal entity to be
15 served.”

16 15 U.S.C. § 57b-1(c).

17 The FTC's CID satisfies all these requirements. *See* Pet. Ex. 1. The CID
18 specified with “definiteness and certainty” the kinds of documents and information
19 to be produced. *See id.* at 3, 6-10. It provided Deltracon with a “reasonable period
20 of time” to respond by providing a return date four weeks after issuance. *See id.* at
21 3. The CID outlined the specific nature of the FTC's investigation and the law at
22 issue. *See id.* at 6 (identifying the “Subject of Investigation”). It identified the
23 specific records custodians to whom the responses were to be sent. *See id.* at 5.
24 Further, the CID was validly signed by Commissioner Rohit Chopra acting
25 pursuant to the Resolution. *See id.* at 3, 17. Finally, the CID was properly served
26 by being delivered to Deltracon's registered agent and mailing address. *See* Pet.
27 Exs. 3, 5. Accordingly, the FTC satisfied the procedural requirements for issuing
28 the CID.

1 **C. The Evidence Sought is Relevant and Material to the Investigation.**

2 The information sought pursuant to the CID is relevant and material to the
3 FTC’s investigation. As set forth above, the burden to demonstrate relevance and
4 materiality is “minimal” and courts typically enforce CIDs so long as they are not
5 “plainly incompetent or irrelevant” to the investigation. *United States v. Golden*
6 *Valley Elec. Ass’n*, 689 F.3d 1108, 1113-14 (9th Cir. 2012) (citations omitted).

7 Here, the CID seeks information and documents regarding the identity of the
8 entities use that Deltracon’s VoIP services to place potentially illegal telemarketing
9 calls to consumers. *See* Pet. Ex. 1 at 6-10. The CID also seeks information and
10 documents regarding Deltracon’s efforts to comply with the Telemarketing Sales
11 Rule and its awareness of potentially illegal telemarketing calls being placed
12 through its VoIP platform. *See id.* Both subject areas fall squarely within the
13 Resolution, the FTC Act, and the Commission’s enforcement of the Telemarketing
14 Sales Rule. Thus, the requested documents and information are plainly relevant to
15 the FTC’s investigation.

16 **D. The CID is Not Overly Broad or Burdensome.**

17 Finally, the CID, which seeks only basic information (regarding the entities
18 that use Deltracon’s VoIP services, and general business information regarding
19 Deltracon’s efforts to ensure compliance with the Telemarketing Sales Rule, is not
20 overbroad or unduly burdensome. *See id.* Information of this character is
21 presumably maintained in the ordinary course of business for a VoIP services
22 provider and should not pose any meaningful burden for Deltracon to produce to
23 the FTC. Furthermore, because Deltracon has ignored the CID, any argument that
24 the CID imposes an undue burden would be procedurally barred as Deltracon
25 failed to timely challenge the CID administratively and cannot do so for the first
26 time in the district court. *See Casey v FTC*, 578 F.2d 793, 796 (9th Cir. 1978)
27 (“[F]ailure to exhaust administrative remedies typically precludes judicial relief.”);
28 *see also Amerco v. NLRB*, 458 F.3d 883, 888 (9th Cir. 2006) (citing *Myers v.*

1 *Bethlehem Shipbuilding Corp.*, 303 U.S. 41, 50-51 (1928)). Thus, the CID is not
2 overbroad or unduly burdensome, and Deltracon did not attempt to argue otherwise
3 when appropriate to do so.

4 **CONCLUSION**

5 Petitioner FTC respectfully requests that the Court grant its petition and
6 issue the attached order requiring Respondent Deltracon to comply with the CID or
7 to show cause as to why it has failed to do so, and, if Deltracon fails to produce the
8 material sought by the CID, to comply fully with the CID within ten days of the
9 entry of such order.

10
11 Dated: July 16, 2021

/s/ Sarah A. Shifley

Reilly Dolan

Acting General Counsel

Michele Arington

Assistant General Counsel for Litigation

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16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**
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Civ. No. 8:21-mc-25

**DECLARATION OF SARAH A.
SHIFLEY IN SUPPORT OF
PETITION TO ENFORCE CIVIL
INVESTIGATIVE DEMAND**

1 I, Sarah A. Shifley, declare and state the following:

2 1. I am an attorney at the Federal Trade Commission (FTC or “the
3 Commission”). I am over 18 years of age and make this Declaration based upon
4 my personal knowledge or information made known to me in the course of my
5 official duties.

6 2. On April 1, 2016, the FTC issued a Resolution Directing Use of
7 Compulsory Process in a Nonpublic Investigation of Telemarketers, Sellers,
8 Suppliers, or Others (“the Resolution”). The purpose of the investigations
9 authorized by the Resolution are:

10 To determine whether unnamed telemarketers, sellers, or others
11 assisting them have engaged or are engaging in: (1) unfair or deceptive
12 acts or practices in or affecting commerce in violation of Section 5 of
13 the Federal Trade Commission Act, 15 U.S.C. § 45 (as amended; and/or
14 (2) deceptive or abusive telemarketing acts or practices in violation of
15 the Commission’s Telemarketing Sales Rule, 16 C.F.R. pt. 310 (as
16 amended), including but not limited to the provision of substantial
17 assistance or support – such as mailing lists, scripts, merchant accounts,
18 and other information, products, or services – to telemarketers engaged
19 in unlawful practices. The investigation is also to determine whether
20 Commission action to obtain monetary relief would be in the public
21 interest.

22 A true and complete copy of the Resolution is attached hereto as page 17 of
23 **Exhibit 1.**

24 3. On January 8, 2021, under the authority of the Resolution, the FTC
25 issued a Civil Investigative Demand to Deltracon Inc. (“Deltracon”) requiring it to
26 produce documents and to respond to written questions. The FTC issued its CID as
27 part of its investigation into entities that place possibly illegal telemarketing calls
28

1 to consumers using Deltracon's VoIP services. A true and copy of the CID is
2 attached hereto as **Exhibit 1**.

3 4. The FTC issued the CID to Deltracon, a Wyoming corporation, via its
4 registered agent at the address provided by Deltracon in its filing with the
5 Wyoming Secretary of State. A true and correct copy of that filing is attached
6 hereto as **Exhibit 2**.

7 5. The CID was delivered to Deltracon's registered agent by FedEx,
8 signature required. A true and correct copy of the FedEx tracking printout showing
9 delivery is attached hereto as **Exhibit 3**.

10 6. The CID directed Deltracon to contact the FTC and to produce
11 documents and information by no later than February 8, 2021. *See* Exhibit 1 at p. 3.
12 Deltracon did not produce the requested documents or information, or contact the
13 FTC in response to issuance of the CID.

14 7. FTC Senior Investigator Laureen France located a mailing address for
15 Deltracon in Irvine, California. Ms. France also confirmed Deltracon's presence in
16 California in a document published on the FCC's website. A copy of the FCC
17 document is attached hereto as **Exhibit 4**.

18 8. On May 4, 2021, the FTC delivered the CID to Deltracon's Irvine,
19 California mailing address by U.S. Post Office certified mail. A copy of the
20 delivery confirmation is attached hereto as **Exhibit 5**.

21 9. Following delivery, I emailed the two individuals identified as
22 principals of Deltracon – Manjindar Takhar and Kevin Montalvo – to confirm
23 delivery of the CID and request a phone conference. Mr. Takhar responded, and a
24 phone conference was scheduled for May 7, 2021. True and correct copies of these
25 emails are attached hereto as **Exhibit 6**.

26 10. On May 7, 2021, I spoke with Mr. Takhar and Mr. Montalvo. FTC
27 Senior Investigator Laureen France and FTC Attorney William Hodor were also on
28 the call. During the call, Mr. Takhar and Mr. Montalvo confirmed that they are the

1 two owners of Deltracon and that the address to which the CID was delivered was
2 the correct address for Deltracon. Mr. Takhar and Mr. Montalvo also confirmed
3 that the email addresses used to contact them were correct. Mr. Takhar and Mr.
4 Montalvo had not reviewed the CID, so agreed to follow up by email to confirm
5 receipt of the CID and schedule a follow-up phone conference.

6 11. On May 10, 2021, I received an email from Mr. Takhar confirming
7 receipt of the CID and requesting to schedule an additional phone conference. We
8 agreed to speak on May 12, 2021. True and correct copies of these emails are
9 attached hereto as **Exhibit 7**.

10 12. On May 11, 2021, Mr. Takhar emailed me to cancel the May 12,
11 2021, phone conference. I re-scheduled the phone conference for May 13, 2021.
12 *See Exhibit 7.*

13 13. Neither Mr. Takhar nor Mr. Montalvo joined the phone conference on
14 May 13, 2021. In response, I emailed Mr. Takhar and Mr. Montalvo information
15 for a rescheduled phone conference on May 14, and again neither Mr. Takhar nor
16 Mr. Montalvo joined. *See Exhibit 7.*

17 14. On May 20, the FTC emailed Mr. Takhar and Mr. Montalvo notifying
18 them they were in default and again requesting a phone conference to discuss
19 compliance with the CID. The FTC also notified Mr. Takhar and Mr. Montalvo
20 that, should they fail to comply with the CID, the FTC may pursue judicial
21 enforcement. The FTC's email requested a response by May 24. Neither Mr.
22 Takhar nor Mr. Montalvo responded by May 24, or any time thereafter. A true and
23 correct copy of the email is attached hereto as **Exhibit 8**.

24 15. To date, Deltracon has failed to respond to the CID. Mr. Takhar and
25 Mr. Montalvo have also failed to respond to emails regarding a phone conference.

26 16. Deltracon's failure to respond has materially impeded the FTC's
27 investigation by, among other things, preventing it from identifying the entities
28

1 placing potentially illegal telemarketing calls to consumers using Deltracon's VoIP
2 services.

3
4 I declare under penalty of perjury under the laws of the United States of
5 America that the foregoing is true and correct.

6
7
8 Dated: July 12, 2021

/s/ Sarah A. Shifley

SARAH A. SHIFLEY

WA Bar No. 39394; sshifley@ftc.gov

FEDERAL TRADE COMMISSION

915 Second Avenue, Suite 2896

Seattle, WA 98174

Tel.: (206) 220-6350; Fax: (206) 220-6366

13 Attorney for Petitioner

14 Federal Trade Commission

EXHIBIT 1



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

VIA FEDEX

Deltracon Inc.
c/o Registered Agents Inc., Registered Agent
30 N. Gould Street, Suite R
Sheridan, WY 82801

January 8, 2021

Re: FTC Matter No. P207601

To whom it may concern:

The Federal Trade Commission (“FTC”) has issued the attached Civil Investigative Demand (“CID”) asking for information as part of a non-public investigation.¹ Our purpose is to determine whether unidentified persons or entities have initiated, caused the initiation of, or assisted the initiation of outbound telephone calls that delivered prerecorded messages, used spoofed caller identification numbers, or were placed to numbers listed on the National Do Not Call Registry, in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, and the Telemarketing Sales Rule, 16 C.F.R. Part 310, and whether Commission action to obtain monetary relief would be in the public interest.

Please read the attached documents carefully. Here are a few important points we would like to highlight:

1. **Contact FTC counsel, William J. Hodor, at whodor@ftc.gov or (312) 960-5592, as soon as possible to schedule a telephone call to be held within 14 days.** During that telephone call, FTC counsel can address any questions or concerns you have regarding this CID, including whether there are changes to how you comply with the CID that would reduce your cost or burden while still giving the FTC the information it needs. Please read the attached documents for more information about that meeting.
2. **You must immediately stop any routine procedures for electronic or paper document destruction, and you must preserve all paper or electronic documents** that are in any way relevant to this investigation, even if you believe the documents are protected from discovery by privilege or some other reason.
3. **The FTC will use information you provide in response to the CID for the purpose of investigating violations of the laws the FTC enforces.** We will not disclose the information under the Freedom of Information Act, 5 U.S.C. § 552. We may disclose the information in response to a valid request from Congress, or

¹ This letter and the enclosed CID are being served on your registered agent.

Page 2

to other civil or criminal law enforcement agencies for their official law enforcement purposes. The FTC or other agencies may use and disclose your response in any civil or criminal proceeding, or if required to do so by law. However, we will not publicly disclose your information without giving you prior notice.

4. **Please read the attached documents closely.** They contain important information about how you should provide your response.

Please contact FTC counsel as soon as possible to set up an initial meeting. We appreciate your cooperation.

Very truly yours,

A handwritten signature in blue ink, appearing to read "April J. Tabor", with a stylized flourish at the end.

April J. Tabor
Acting Secretary of the Commission



CIVIL INVESTIGATIVE DEMAND

1. TO Deltracon Inc. c/o Registered Agents Inc., Registered Agent 30 N. Gould Street, Suite R Sheridan, WY 82801	1a. MATTER NUMBER P207601
--	----------------------------------

This demand is issued pursuant to Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1, in the course of an investigation to determine whether there is, has been, or may be a violation of any laws administered by the Federal Trade Commission by conduct, activities or proposed action as described in Item 3.

2. ACTION REQUIRED <input type="checkbox"/> You are required to appear and testify.	
LOCATION OF HEARING	YOUR APPEARANCE WILL BE BEFORE DATE AND TIME OF HEARING OR DEPOSITION

- You are required to produce all documents described in the attached schedule that are in your possession, custody, or control, and to make them available at your address indicated above for inspection and copying or reproduction at the date and time specified below.
- You are required to answer the interrogatories or provide the written report described on the attached schedule. Answer each interrogatory or report separately and fully in writing. Submit your answers or report to the Records Custodian named in Item 4 on or before the date specified below.
- You are required to produce the tangible things described on the attached schedule. Produce such things to the Records Custodian named in Item 4 on or before the date specified below.

DATE AND TIME THE DOCUMENTS, ANSWERS TO INTERROGATORIES, REPORTS, AND/OR TANGIBLE THINGS MUST BE AVAILABLE
February 8, 2021 by 5:00 PM EST

3. SUBJECT OF INVESTIGATION See attached Schedule and Resolution	
4. RECORDS CUSTODIAN/DEPUTY RECORDS CUSTODIAN Todd Kossow / Amber Williams Federal Trade Commission, Midwest Region 230 South Dearborn Street, Room 3030 Chicago, Illinois 60604	5. COMMISSION COUNSEL William Hodor (312-960-5592; whodor@ftc.gov) Valerie Verduce (404-656-1355; vverduce@ftc.gov) Federal Trade Commission, Midwest Region 230 South Dearborn Street, Room 3030 Chicago, Illinois 60604

DATE ISSUED 01/08/2021	COMMISSIONER'S SIGNATURE 
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INSTRUCTIONS AND NOTICES

The delivery of this demand to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply. The production of documents or the submission of answers and report in response to this demand must be made under a sworn certificate, in the form printed on the second page of this demand, by the person to whom this demand is directed or, if not a natural person, by a person or persons having knowledge of the facts and circumstances of such production or responsible for answering each interrogatory or report question. This demand does not require approval by OMB under the Paperwork Reduction Act of 1980.

PETITION TO LIMIT OR QUASH

The Commission's Rules of Practice require that any petition to limit or quash this demand be filed within 20 days after service, or, if the return date is less than 20 days after service, prior to the return date. The original and twelve copies of the petition must be filed with the Secretary of the Federal Trade Commission, and one copy should be sent to the Commission Counsel named in Item 5.

YOUR RIGHTS TO REGULATORY ENFORCEMENT FAIRNESS

The FTC has a longstanding commitment to a fair regulatory enforcement environment. If you are a small business (under Small Business Administration standards), you have a right to contact the Small Business Administration's National Ombudsman at 1-888-REGFAIR (1-888-734-3247) or www.sba.gov/ombudsman regarding the fairness of the compliance and enforcement activities of the agency. You should understand, however, that the National Ombudsman cannot change, stop, or delay a federal agency enforcement action.

The FTC strictly forbids retaliatory acts by its employees, and you will not be penalized for expressing a concern about these activities.

TRAVEL EXPENSES

Use the enclosed travel voucher to claim compensation to which you are entitled as a witness for the Commission. The completed travel voucher and this demand should be presented to Commission Counsel for payment. If you are permanently or temporarily living somewhere other than the address on this demand and it would require excessive travel for you to appear, you must get prior approval from Commission Counsel.

A copy of the Commission's Rules of Practice is available online at <http://bit.ly/FTCSRulesofPractice>. Paper copies are available upon request.

Form of Certificate of Compliance*

I/We do certify that all of the documents, information and tangible things required by the attached Civil Investigative Demand which are in the possession, custody, control, or knowledge of the person to whom the demand is directed have been submitted to a custodian named herein.

If a document or tangible thing responsive to this Civil Investigative Demand has not been submitted, the objections to its submission and the reasons for the objection have been stated.

If an interrogatory or a portion of the request has not been fully answered or a portion of the report has not been completed, the objections to its submission and the reasons for the objections have been stated.

Signature _____

Title _____

Sworn to before me this day

Notary Public

*In the event that more than one person is responsible for complying with this demand, the certificate shall identify the documents for which each certifying individual was responsible. In place of a sworn statement, the above certificate of compliance may be supported by an unsworn declaration as provided for by 28 U.S.C. § 1746.

**FEDERAL TRADE COMMISSION (“FTC”)
CIVIL INVESTIGATIVE DEMAND (“CID”) SCHEDULE
FTC File No. P207601**

Meet and Confer: You must contact **FTC counsel, William J. Hodor ((312) 960-5592; whodor@ftc.gov)**, as soon as possible to schedule a telephonic meeting to be held within fourteen (14) days after You receive this CID. At the meeting, You must discuss with FTC counsel any questions You have regarding this CID or any possible CID modifications that could reduce Your cost, burden, or response time yet still provide the FTC with the information it needs to pursue its investigation. The meeting also will address how to assert any claims of protected status (*e.g.*, privilege, work-product, etc.) and the production of electronically stored information. You must make available at the meeting personnel knowledgeable about Your information or records management systems, Your systems for electronically stored information, custodians likely to have information responsive to this CID, and any other issues relevant to compliance with this CID.

Document Retention: You must retain all documentary materials used in preparing responses to this CID. The FTC may require the submission of additional Documents later during this investigation. **Accordingly, You must suspend any routine procedures for Document destruction and take other measures to prevent the destruction of Documents in Your possession, custody, or control** that are in any way relevant to this investigation, even if those Documents are being retained by a third-party or You believe those Documents are protected from discovery. *See* 15 U.S.C. § 50; *see also* 18 U.S.C. §§ 1505, 1519.

Sharing of Information: The FTC will use information You provide in response to the CID for the purpose of investigating violations of the laws the FTC enforces. We will not disclose such information under the Freedom of Information Act, 5 U.S.C. § 552. We also will not disclose such information, except as allowed under the FTC Act (15 U.S.C. § 57b-2), the Commission’s Rules of Practice (16 C.F.R. §§ 4.10 & 4.11), or if required by a legal obligation. Under the FTC Act, we may provide Your information in response to a request from Congress or a proper request from another law enforcement agency. However, we will not publicly disclose such information without giving You prior notice.

Manner of Production: Contact **Deputy Records Custodian, Amber Williams ((312) 960-5628; awilliams3@ftc.gov)**, by email or telephone at least five days before the return date for instructions on how to produce information responsive to this CID.

Certification of Compliance: You or any person with knowledge of the facts and circumstances relating to the responses to this CID must certify that such responses are complete by signing the “Certification of Compliance” attached to this CID.

Certification of Records of Regularly Conducted Activity: Attached is a Certification of Records of Regularly Conducted Activity. Please execute and return this Certification with Your response. Completing this certification may reduce the need to subpoena You to testify at future proceedings to establish the admissibility of Documents produced in response to this CID.

Definitions and Instructions: Please review carefully the Definitions and Instructions that appear after the Specifications and provide important information regarding compliance with this CID.

I. SUBJECT OF INVESTIGATION

Whether unidentified persons or entities have initiated, caused the initiation of, or assisted the initiation of outbound telephone calls that delivered prerecorded messages, used spoofed caller identification numbers, or were placed to numbers listed on the National Do Not Call Registry, in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, and the Telemarketing Sales Rule, 16 C.F.R. Part 310, and whether Commission action to obtain monetary relief would be in the public interest. See also attached resolution.

II. SPECIFICATIONS

Applicable Time Period: Unless otherwise directed, the applicable time period for the requests set forth below is from January 1, 2018, until the date of full and complete compliance with this CID.

“**Subject Customer or Subscribers**” means any customer or subscriber associated with an account or service that the Company provides that originated, initiated, or routed any of the following telephone calls:

Item No.	Date/Time	To/Called Number	From/Calling Number/Caller ID Displayed
1	9/9/2020 17:39	5187558384	3192521516
2	9/9/2020 18:11	9366417366	3192521516
3	9/9/2020 18:16	3103673538	5202317395
4	8/31/2020 18:28	8658510278	7192574473
5	8/31/2020 17:23	3305915835	5052300261

A. **Account Identifying Information:** Produce or provide the information requested below for each Subject Customer or Subscriber. For items 3 through 6 below, produce or provide the requested information for all services or accounts the Subject Customer or Subscriber maintains at the Company, segregated by each individual service or account.

1. Name(s);
2. Address(es) (including all physical, mailing, internet protocol, and email addresses);
3. Local and long distance telephone connection records (inbound and outbound), and records of session times and durations;

4. Length of service (including start date) and types of service utilized;
5. Telephone or instrument number(s) or other subscriber number(s) or identities, including any temporarily assigned network address or Internet protocol address and telephone automatic number identification (“ANI”); and
6. Means and source of payment for such service (including any credit card or bank account number).

If readily available, please send the information responsive to requests 1, 2, and 5 above within seven days of receipt of this CID. You may email this preliminary information to Deputy Records Custodian Amber Williams at awilliams3@ftc.gov before completing Your full response to the remaining items.

B. Same Means and Source of Payment: To the extent not already provided in Your response to Specification A, produce or provide the information requested below for any customer or subscriber who maintains an account or service at the Company that was paid for using the same means and source of payment listed in Your response to Specification A(6) above. Produce or provide the requested information for all services or accounts paid for using the same means and source of payment, segregated by each individual service or account.

1. Name(s);
2. Address(es) (including all physical, mailing, internet protocol, and email addresses);
3. Local and long distance telephone connection records (inbound and outbound), or records of session times and durations;
4. Length of service (including start date) and types of service utilized; and
5. Telephone or instrument number(s) or other subscriber number(s) or identities, including any temporarily assigned network address or Internet protocol address and telephone ANI.

C. Customer or Subscriber Correspondence: Produce Customer or Subscriber Correspondence that You maintain for Your own business purposes (excluding all non-content information such as email header information) relating to each Subject Customer or Subscriber or any other customer or subscriber Identified in any of Your responses to any complaints, subpoenas, civil investigative demands, or inquiries from telecommunications companies, providers of Voice over Internet Protocol (“VoIP”) services, or government agencies about unlawful telemarketing, autodialed telephone calls, calls delivering prerecorded messages, calls to numbers listed on the National Do Not Call Registry, or calls using spoofed caller ID numbers. For purposes of this specification, “Customer or Subscriber Correspondence” means Documents, such as complaints and Your responses to such complaints, that You directly or indirectly received from or sent to a customer or subscriber, including any complaints or

inquiries to or by Better Business Bureaus or government agencies, and Your responses to those complaints or inquiries.

D. General Business Records Not Limited to Subject Customers:

1. Produce the contents of all complaints from any other telecommunications company, provider of VoIP services, individual consumer, or any other third party about calls originated by the Company; and your responses to those complaints. For purposes of this specification, redact and do not produce any email headers or other non-content portions of these communications.
2. Produce all internal documents related to training employees of the Company on addressing or responding to complaints from any other telecommunications company, provider of VoIP services, individual consumer, or any other third party about calls originated by the Company.
3. Produce the contents of all government inquiries, letters, civil investigative demands, and subpoenas about calls originated by the Company; and all responses to such inquiries, letters, civil investigative demands, and subpoenas. For purposes of this specification, redact and do not produce any email headers or other non-content portions of these communications.
4. Produce the contents of all subpoenas from private parties about calls originated by the Company; and all responses to those subpoenas. For purposes of this specification, redact and do not produce any email headers or other non-content portions of these communications.
5. Produce all of the Company's written policies for compliance with the Telemarketing Sales Rule, 16 C.F.R. § 310 *et seq.*, and other state and federal laws that regulate any of the following: telemarketing; autodialed calls; calls to numbers on the National Do Not Call Registry; calls delivering prerecorded messages; calls using spoofed caller ID numbers.
6. Produce all internal documents related to training employees of the Company on compliance with the Telemarketing Sales Rule, 16 C.F.R. § 310 *et seq.*, and other state and federal laws that regulate any of the following: telemarketing; autodialed calls; calls to numbers on the National Do Not Call Registry; calls delivering prerecorded messages; calls using spoofed caller ID numbers.
7. Produce all internal communications, retained for Your business purposes, in which employees of the Company discussed or mentioned calls originated through the Company's VoIP lines that were placed to numbers listed on the National Do Not Call Registry. For purposes of this specification, redact and do not produce any information that identifies a specific customer or subscriber.

8. Produce all internal communications, retained for Your business purposes, in which employees of the Company discussed or mentioned calls originated through the Company's VoIP lines that delivered prerecorded Telemarketing messages. For purposes of this specification, redact and do not produce any information that identifies a specific customer or subscriber.
9. Produce all internal communications, retained for Your business purposes, in which employees of the Company discussed or mentioned calls originated through the Company's VoIP lines that used spoofed caller ID numbers. For purposes of this specification, redact and do not produce any information that identifies a specific customer or subscriber.
10. Produce all internal communications, retained for Your business purposes, in which employees of the Company discussed or mentioned calls originated through the Company's VoIP lines that were dialed outside of permissible calling times. For purposes of this specification, redact and do not produce any information that identifies a specific customer or subscriber.
11. Produce all corporate organizational charts showing Your management structure.
12. Produce all documents and communications, retained for Your business purposes, related to monitoring, reviewing, or analyzing consumer complaints reported to the Federal Trade Commission. For purposes of this specification, redact and do not produce any information that identifies a specific customer or subscriber.

E. General Business Interrogatories

1. Identify all of Your owners and shareholders, stating the percentage ownership interest held by each of them.
2. Identify Your employees, managers, or officers responsible for legal compliance.
3. Identify all of Your employees, managers, or officers with authority to terminate business relationships with customers, subscribers, or users of Your VoIP services.
4. Identify all employees who are involved in receiving and responding to complaints about abusive, fraudulent, or unwanted telephone calls.
5. Describe in detail all of Your policies and practices for monitoring, reviewing, or analyzing consumer complaints published and released by the Federal Trade Commission at <https://www.ftc.gov/site-information/open-government/data-sets/do-not-call-data>.

6. Identify all of Your employees involved in monitoring, reviewing, or analyzing consumer complaints published and released by the Federal Trade Commission at <https://www.ftc.gov/site-information/open-government/data-sets/do-not-call-data>.

NOTICE: This CID does not seek any information that is prohibited from disclosure under the Cable Communications Policy Act of 1984 (“Cable Act”), 47 U.S.C. §§ 551 *et seq.*, the Satellite Television Extension and Location Act (“STELA”), 47 U.S.C. § 338(i), or the Electronic Communications Privacy Act (“ECPA”), 18 U.S.C. §§ 2701 *et seq.* To the extent that You are, for purposes of ECPA, a provider of Electronic Communications Service or Remote Computing Service to a customer or subscriber about whom this CID seeks information, do not divulge a record or information pertaining to such customer or subscriber or the content of such customer’s or subscriber’s communications, other than the content, records, and information specifically requested in this CID. If You have any questions, please contact FTC counsel before providing responsive information.

III. DEFINITIONS

The following definitions apply to this CID:

- D-1. “**Company**,” “**You**,” or “**Your**” means Deltracon Inc., its wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and affiliates, and all directors, officers, members, employees, agents, consultants, and other persons working for or on behalf of the foregoing.
- D-2. “**CID**” shall mean the Civil Investigative Demand, including the attached Resolution and this Schedule, and including the Definitions, Instructions, and Specifications.
- D-3. “**Customer or Subscriber Documents**” means documents that you directly or indirectly received from or sent to a customer or subscriber, including but not limited to contracts and correspondence, whether in the form of Electronically Stored Information or otherwise.
- D-4. “**Document**” means the complete original, all drafts, and any non-identical copy, whether different from the original because of notations on the copy, different metadata, or otherwise, of any item covered by 15 U.S.C. § 57b-1(a)(5), 16 C.F.R. § 2.7(a)(2), or Federal Rule of Civil Procedure 34(a)(1)(A).
- D-5. “**Identify**” or “**the Identity of**” requires identification of (a) natural persons by name, title, present business affiliation, present business address, telephone number, and email address or, if a present business affiliation or present business address is not known, the last known business and home addresses; and (b) businesses or other organizations by name, address, and the identities of Your contact persons at the business or organization.

IV. INSTRUCTIONS

- I-1. **Petitions to Limit or Quash:** You must file any petition to limit or quash this CID with the Secretary of the FTC no later than twenty (20) days after service of the CID, or, if the return

date is less than twenty (20) days after service, prior to the return date. Such petition must set forth all assertions of protected status or other factual and legal objections to the CID and comply with the requirements set forth in 16 C.F.R. § 2.10(a)(1) – (2). **The FTC will not consider petitions to quash or limit if You have not previously met and conferred with FTC staff and, absent extraordinary circumstances, will consider only issues raised during the meet and confer process.** 16 C.F.R. § 2.7(k); *see also* § 2.11(b). **If You file a petition to limit or quash, You must still timely respond to all requests that You do not seek to modify or set aside in Your petition.** 15 U.S.C. § 57b-1(f); 16 C.F.R. § 2.10(b).

I-2. **Withholding Requested Material / Privilege Claims:** For specifications requesting production of Documents or answers to written interrogatories, if You withhold from production any material responsive to this CID based on a claim of privilege, work product protection, statutory exemption, or any similar claim, You must assert the claim no later than the return date of this CID, and You must submit a detailed log, in a searchable electronic format, of the items withheld that identifies the basis for withholding the material and meets all the requirements set forth in 16 C.F.R. § 2.11(a) – (c). The information in the log must be of sufficient detail to enable FTC staff to assess the validity of the claim for each Document, including attachments, without disclosing the protected information. If only some portion of any responsive material is privileged, You must submit all non-privileged portions of the material. Otherwise, produce all responsive information and material without redaction. 16 C.F.R. § 2.11(c). The failure to provide information sufficient to support a claim of protected status may result in denial of the claim. 16 C.F.R. § 2.11(a)(1).

I-3. **Modification of Specifications:** The Bureau Director, a Deputy Bureau Director, Associate Director, Regional Director, or Assistant Regional Director must agree in writing to any modifications of this CID. 16 C.F.R. § 2.7(l).

I-4. **Scope of Search:** This CID covers Documents and information in Your possession or under Your actual or constructive custody or control, including Documents and information in the possession, custody, or control of Your attorneys, accountants, directors, officers, employees, service providers, and other agents and consultants, whether or not such Documents or information were received from or disseminated to any person or entity.

I-5. **Identification of Responsive Documents:** For specifications requesting production of Documents, You must identify in writing the Documents that are responsive to the specification. Documents that may be responsive to more than one specification of this CID need not be produced more than once. If any Documents responsive to this CID have been previously supplied to the FTC, You may identify the Documents previously provided and the date of submission.

I-6. **Maintain Document Order:** For specifications requesting production of Documents, You must produce Documents in the order in which they appear in Your files or as electronically stored. If Documents are removed from their original folders, binders, covers, containers, or electronic source, You must specify the folder, binder, cover, container, or electronic media or file paths from which such Documents came.

I-7. **Numbering of Documents:** For specifications requesting production of Documents, You must number all Documents in Your submission with a unique identifier such as a Bates number or a Document ID.

I-8. **Production of Copies:** For specifications requesting production of Documents, unless otherwise stated, You may submit copies in lieu of original Documents if they are true, correct, and complete copies of the originals and You preserve and retain the originals in their same state as of the time You received this CID. Submission of copies constitutes a waiver of any claim as to the authenticity of the copies should the FTC introduce such copies as evidence in any legal proceeding.

I-9. **Production in Color:** For specifications requesting production of Documents, You must produce copies of Advertisements in color, and You must produce copies of other materials in color if necessary to interpret them or render them intelligible.

I-10. **Electronically Stored Information:** For specifications requesting production of Documents, see the attached FTC Bureau of Consumer Protection Production Requirements (“Production Requirements”), which detail all requirements for the production of electronically stored information to the FTC. You must discuss issues relating to the production of electronically stored information with FTC staff **prior to** production.

I-11. **Sensitive Personally Identifiable Information (“Sensitive PII”) or Sensitive Health Information (“SHI”):** For specifications requesting production of Documents or answers to written interrogatories, if any responsive materials contain Sensitive PII or SHI, please contact FTC counsel before producing those materials to discuss whether there are steps You can take to minimize the amount of Sensitive PII or SHI You produce, and how to securely transmit such information to the FTC.

Sensitive PII includes an individual’s Social Security number; an individual’s biometric data; and an individual’s name, address, or phone number in combination with one or more of the following: date of birth, driver’s license or state identification number (or foreign country equivalent), military identification number, passport number, financial account number, credit card number, or debit card number. Biometric data includes biometric identifiers, such as fingerprints or retina scans, but does not include photographs (with the exception of photographs and corresponding analyses used or maintained in connection with facial recognition software) or voice recordings and signatures (with the exception of those stored in a database and used to verify a person’s identity). SHI includes medical records and other individually identifiable health information relating to the past, present, or future physical or mental health or conditions of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual.

I-12. **Interrogatory Responses:** For specifications requesting answers to written interrogatories: (a) answer each interrogatory and each interrogatory subpart separately, fully, and in writing; and (b) verify that Your answers are true and correct by signing Your answers under the following statement: “I verify under penalty of perjury that the foregoing is true and

correct. Executed on (date). (Signature).” The verification must be submitted contemporaneously with Your interrogatory responses.

I-13. **Submission of Documents in Lieu of Interrogatory Answers:** You may answer any written interrogatory by submitting previously existing Documents that contain the information requested in the interrogatory so long as You clearly indicate in each written interrogatory response which Documents contain the responsive information. For any interrogatory that asks You to identify Documents, You may, at Your option, produce the Documents responsive to the interrogatory so long as You clearly indicate the specific interrogatory to which such Documents are responsive.

Federal Trade Commission - Bureau of Consumer Protection

Production Requirements

Revised July 2020

In producing information to the FTC, comply with the following requirements, unless the FTC agrees otherwise. If you have questions about these requirements, please contact FTC counsel before production.

Production Format

1. **General Format:** Provide load-ready electronic productions with:

- a. A delimited data load file (.DAT) containing a line for every document, unique id number for every document (DocID), metadata fields, and native file links where applicable; and
- b. A document level text file, named for the DocID, containing the text of each produced document.

Do not produce corresponding image renderings (e.g., TIFF or JPEG) for files in native format unless the FTC requests them. If the FTC requests corresponding image renderings, provide an Opticon image load file (.OPT) containing a line for every image file.

2. **Electronically Stored Information (ESI):** Documents stored in electronic format in the ordinary course of business must be produced in the following format:

- a. For ESI other than the categories below, submit in native format with all metadata and either document level extracted text or Optical Character Recognition (OCR). Do not produce corresponding image renderings (e.g., TIFF or JPEG) for files in native format unless the FTC requests them. If the FTC requests corresponding image renderings, they should be converted to Group IV, 300 DPI, single-page TIFF (or color JPEG images when necessary to interpret the contents or render them intelligible.)
- b. For Microsoft Excel, Access, or PowerPoint files, submit in native format with extracted text and metadata. Data compilations in Excel spreadsheets or delimited text formats must contain all underlying data, formulas, and algorithms without redaction.
- c. For other spreadsheet, database, presentation, or multimedia formats; instant messages; or proprietary applications, discuss the production format with FTC counsel.

3. **Hard Copy Documents:** Documents stored in hard copy in the ordinary course of business must be scanned and submitted as either one multi-page pdf per document or as 300 DPI single page TIFFs (or color JPEGs when necessary to interpret the contents or render them intelligible), with corresponding document-level OCR text and logical document determination in an accompanying load file.

4. **Document Identification:** Provide a unique DocID for each hard copy or electronic document, consisting of a prefix and a consistent number of numerals using leading zeros. Do not use a space to separate the prefix from numbers.

5. **Attachments:** Preserve the parent/child relationship by producing attachments as separate documents, numbering them consecutively to the parent email, and including a reference to all attachments.
6. **Metadata Production:** For each document submitted electronically, include the standard metadata fields listed below in a standard delimited data load file. The first line of the data load file shall include the field names. Submit date and time data in separate fields. Use these standard Concordance delimiters in delimited data load files:

Description	Symbol	ASCII Character
Field Separator	¶	20
Quote Character	␣	254
Multi Entry delimiter	®	174
<Return> Value in data	~	126

7. **De-duplication:** Do not use de-duplication or email threading software without FTC approval.
8. **Password-Protected Files:** Remove passwords prior to production. If password removal is not possible, provide the original and production filenames and the passwords, under separate cover.

Producing Data to the FTC

1. Prior to production, scan all data and media for viruses and confirm they are virus-free.
2. For productions smaller than 50 GB, submit data electronically using the FTC's secure file transfer protocol. Contact FTC counsel for instructions. **The FTC cannot accept files via Dropbox, Google Drive, OneDrive, or other third-party file transfer sites.**
3. If you submit data using physical media:
 - a. Use only CDs, DVDs, flash drives, or hard drives. Format the media for use with Windows 7;
 - b. Use data encryption to protect any Sensitive Personally Identifiable Information or Sensitive Health Information (as defined in the instructions), and provide passwords in advance of delivery, under separate cover; and
 - c. Use a courier service (e.g., Federal Express, UPS) because heightened security measures delay postal delivery.
4. Provide a transmittal letter with each production that includes:
 - a. Production volume name (e.g., Volume 1) and date of production;
 - b. Numeric DocID range of all documents in the production, and any gaps in the DocID range; and
 - c. List of custodians and the DocID range for each custodian.

Standard Metadata Fields

DAT FILE FIELDS	DEFINITIONS	POPULATE FIELD FOR:
DocID	Unique ID number for each document	All Documents
FamilyID	Unique ID for all documents in a family including parent and all child documents	All Documents
ParentID	Document ID of the parent document. This field will only be populated on child items	All Documents
File Path	Path to produced native file	All Documents
TextPath	Path to document level text or OCR file	All Documents
Custodian	Name of the record owner/holder	All Documents
AllCustodians	Names of all custodians that had copy of this record (populate if data was deduplicated or email threading was used)	All Documents
Source	Source of documents: CID, Subpoena, Third Party Data, etc.	All Documents
Filename	Original file name	All Documents
File Size	Size of documents	All Documents
File Extensions	Extension of file type	All Documents
MD5 Hash	Unique identifier for electronic data used in de-duplication	All Documents
PRODUCTION_VOLUME	Production Volume	All Documents
HASREDACTIONS	Redacted document	All Documents
Exception Reason	Reason for exception encountered during processing (e.g., empty file, source file, password-protected file, virus)	All Documents
PRODBEG	Beginning production bates number	Documents with Produced Images
PRODEND	Ending production bates number	Documents with Produced Images
PRODBEG_ATTACH	Beginning production family bates number	Documents with Produced Images
	g P	g
Page Count	The number of pages the document contains	Documents with Produced Images
From	Names retrieved from the FROM field in a message	Emails
To	Names retrieved from the TO field in a message; the recipient(s)	Emails
CC	Names retrieved from the CC field in a message; the copied recipient(s)	Emails
BCC	Names retrieved from the BCC field in a message; the blind copied recipient(s)	Emails
EmailSubject	Email subject line	Emails
Date Sent	The date an email message was sent	Emails
Time Sent	The time an email message was sent	Emails
Date Received	The date an email message was received	Emails
Time Received	The time an email message was received	Emails
Author	File Author	Loose Native Files and Email Attachments
Title	File Title	Loose Native Files and Email Attachments
Subject	File Subject	Loose Native Files and Email Attachments
Date Created	Date a document was created by the file system	Loose Native Files and Email Attachments
Time Created	Time a document was created by the file system	Loose Native Files and Email Attachments
Date Modified	Last date a document was modified and recorded by the file system	Loose Native Files and Email Attachments
Time Modified	Last time a document was modified and recorded by the file system	Loose Native Files and Email Attachments
Date Printed	Last date a document was printed and recorded by the file system	Loose Native Files and Email Attachments
Time Printed	Last time a document was printed and recorded by the file system	Loose Native Files and Email Attachments

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Edith Ramirez, Chairwoman
 Maureen K. Ohlhausen
 Terrell McSweeney

RESOLUTION DIRECTING USE OF COMPULSORY PROCESS IN A NONPUBLIC INVESTIGATION OF TELEMARETERS, SELLERS, SUPPLIERS, OR OTHERS

File No. 012 3145

Nature and Scope of Investigation:

To determine whether unnamed telemarketers, sellers, or others assisting them have engaged or are engaging in: (1) unfair or deceptive acts or practices in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45 (as amended); and/or (2) deceptive or abusive telemarketing acts or practices in violation of the Commission's Telemarketing Sales Rule, 16 C.F.R. pt 310 (as amended), including but not limited to the provision of substantial assistance or support — such as mailing lists, scripts, merchant accounts, and other information, products, or services — to telemarketers engaged in unlawful practices. The investigation is also to determine whether Commission action to obtain monetary relief would be in the public interest.

The Federal Trade Commission hereby resolves and directs that any and all compulsory processes available to it be used in connection with this investigation for a period not to exceed five years from the date of issuance of this resolution. The expiration of this five-year period shall not limit or terminate the investigation or the legal effect of any compulsory process issued during the five-year period. The Federal Trade Commission specifically authorizes the filing or continuation of actions to enforce any such compulsory process after the expiration of the five-year period.

Authority to Conduct Investigation:

Sections 6, 9, 10, and 20 of the Federal Trade Commission Act, 15 U.S.C. §§ 46, 49, 50, 57b-1 (as amended); and FTC Procedures and Rules of Practice, 16 C.F.R. §§ 1.1 *et seq.* and supplements thereto.

By direction of the Commission.



Donald S. Clark
Secretary

Issued: April 1, 2016

CERTIFICATION OF COMPLIANCE
Pursuant to 28 U.S.C. § 1746

I, _____, certify the following with respect to the Federal Trade Commission's ("FTC") Civil Investigative Demand directed to Deltracon Inc. (the "Company") (FTC File No. P207601) (the "CID"):

1. The Company has identified all documents, information, and/or tangible things ("responsive information") in the Company's possession, custody, or control responsive to the CID and either:

- (a) provided such responsive information to the FTC; or
- (b) for any responsive information not provided, given the FTC written objections setting forth the basis for withholding the responsive information.

2. I verify that the responses to the CID are complete and true and correct to my knowledge.

I certify under penalty of perjury that the foregoing is true and correct.

Date: _____

Signature

Printed Name

Title

CERTIFICATION OF RECORDS OF REGULARLY CONDUCTED ACTIVITY

Pursuant to 28 U.S.C. § 1746

1. I, _____, have personal knowledge of the facts set forth below and am competent to testify as follows:
2. I have authority to certify the authenticity of the records produced by Deltracon Inc. (the “Company”) and attached hereto.
3. The documents produced and attached hereto by the Company are originals or true copies of records of regularly conducted activity that:
 - a) Were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;
 - b) Were kept in the course of the regularly conducted activity of the Company; and
 - c) Were made by the regularly conducted activity as a regular practice of the Company.

I certify under penalty of perjury that the foregoing is true and correct.

Date: _____

Signature

EXHIBIT 2

**STATE OF WYOMING * SECRETARY OF STATE
EDWARD A. BUCHANAN
BUSINESS DIVISION**

Herschler Bldg East, Ste.100 & 101, Cheyenne, WY 82002-0020

Phone 307-777-7311

Website: <https://sos.wyo.gov> · Email: business@wyo.gov

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name	Deltracon Inc		
Filing ID	2020-000894482		
Type	Profit Corporation	Status	Active

General Information

Old Name		Sub Status	Current
Fictitious Name		Standing - Tax	Good
		Standing - RA	Good
Sub Type		Standing - Other	Good
Formed in	Wyoming	Filing Date	01/10/2020 2:20 PM
Term of Duration	Perpetual	Delayed Effective Date	
		Inactive Date	

Share Information

Common Shares	100,000	Preferred Shares	0	Additional Stock	N
Par Value	0.0000	Par Value	0.0000		

Principal Address

30 N Gould St Ste 9162
Sheridan, WY 82801

Mailing Address

30 N Gould St Ste 9162
Sheridan, WY 82801

Registered Agent Address

Registered Agents Inc.
30 N Gould St Ste R
Sheridan, WY 82801

Parties

Type	Name / Organization / Address
Incorporator	Registered Agents Inc. 30 N Gould St Ste R, Sheridan, WY 82801

Notes

Date	Recorded By	Note
-------------	--------------------	-------------

Filing Information



Please note that this form **CANNOT** be submitted in place of your Annual Report.

Name	Deltracon Inc		
Filing ID	2020-000894482		
Type	Profit Corporation	Status	Active

Most Recent Annual Report Information

Type	Original	AR Year	2021
License Tax	\$50.00	AR Exempt	N
AR Date	1/31/2021 9:59 AM		
Web Filed	Y	AR ID	06084059

Officers / Directors

Type	Name / Organization / Address
Treasurer	Manjinder Takhar 30 N Gould St Ste 9162 Sheridan, WY 82801

Principal Address

30 N Gould St Ste 9162
Sheridan, WY 82801

Mailing Address

30 N Gould St Ste 9162
Sheridan, WY 82801

Annual Report History

Num	Status	Date	Year	Tax
06084059	Original	01/31/2021	2021	\$50.00

Principal Address 1 Changed From: 30 N Gould St To: 30 N Gould St Ste 9162

Amendment History

ID	Description	Date
2021-003095054	Delinquency Notice - Tax	01/02/2021
2020-002741236	Address Update	01/28/2020
	Principal Address 2 Changed From: Ste R To: Ste 9162	
See Filing ID	Initial Filing	01/10/2020

EXHIBIT 3



TRACK ANOTHER SHIPMENT

772589286854



ADD NICKNAME

Delivered

Wednesday, January 13, 2021 at 11:45 am



DELIVERED

Signed for by: D.DIXON

[GET STATUS UPDATES](#)

[OBTAIN PROOF OF DELIVERY](#)

Direct signature required

FROM
Washington, DC US

TO
SHERIDAN, WY US

Travel History

TIME ZONE
Local Scan Time



Wednesday, January 13, 2021

11:45 AM	SHERIDAN, WY	Delivered
10:36 AM	SHERIDAN, WY	On FedEx vehicle for delivery
10:27 AM	SHERIDAN, WY	At local FedEx facility
5:25 AM	CASPER, WY	At destination sort facility

Tuesday, January 12, 2021

5:57 PM	MEMPHIS, TN	Departed FedEx location
8:38 AM	MEMPHIS, TN	Arrived at FedEx location

Monday, January 11, 2021

8:44 PM	ALEXANDRIA, VA	Left FedEx origin facility
4:01 PM	ALEXANDRIA, VA	Picked up
11:15 AM		Shipment information sent to FedEx

Shipment Facts

TRACKING NUMBER

SERVICE

WEIGHT

772589286854

FedEx 2Day

0.5 lbs / 0.23 kgs

DELIVERED TO

Receptionist/Front Desk

TOTAL PIECES

1

TOTAL SHIPMENT WEIGHT

0.5 lbs / 0.23 kgs

TERMS

Shipper

PURCHASE ORDER NUMBER

0612

SHIPPER REFERENCE

P207601 - 600390

PACKAGING

FedEx Envelope

SPECIAL HANDLING SECTION

Deliver Weekday, Direct Signature Required

SHIP DATE

1/11/21 ?

SIGNATURE SERVICES

Direct signature required ?

STANDARD TRANSIT

1/13/21 by 4:30 pm ?

ACTUAL DELIVERY

1/13/21 at 11:45 am

EXHIBIT 4

Provider Name	Country	State
012 Global	United States	Florida
1st Point Communications	United States	New Jersey
382 Communications	United States	Massachusetts
A to Z Minutes	Pakistan	Delhi
Absolute Voix LLC	Pakistan	Delaware
Access Tandem	United States	NV
AccessLine / Intermedia / IVY	United States	CA
Ace Peak Investments	Singapore	Central Singapore
Advancefone Ltd.	Australia	Queensland
AGG RBM Comm / World Connect / CGS / Call Global System Pvt Ltd	India	Maharashtra
Agg Shoaib Khalid	Pakistan	Punjab
AGG TELE-FONE MEDIA Pvt. Ltd	Hong Kong	Hong Kong
Airespring	United States	CA
Airus Inc.	United States	Illinois
AJ Telekom	Singapore	Central Singapore
AKV Technologies	India	
Alcazar Networks, Inc / VoxTandem	United States	PA
AlkaIP Telecom LLC	Colombia	Bogotá D.C.
All Access Telecom	United States	TX
AllCheapVoIP	Dominican Republic	Norcentral
AllClear Connect	United States	Florida
Alliance Group Services	United States	CT
Altec Communications Kosovo	Albania	
Altice USA	United States	New York
Ameraconnect	United States	KS
Amplify Networks	United States	Texas
ANI Networks / NOS / Affinity	United States	Nevada
AP Telecom	India	
Apeiron Systems, Inc.	United States	CA
Apelby	Germany	Nordrhein-Westfalen
APH Networks Pvt Ltd	India	Uttar Pradesh
Arbeit Software LLC	United States	NY
Arctele Communications, Inc.	United States	NV
Arsh Technology / Arsh Techno Solution	India	Rajasthan
Articul8, LLC	United States	Texas
Arythe	United Kingdom	West Midlands
Astro Telecommunications	United States	Texas
Atlantel Telecom	Argentina	Buenos Aires
ATT	United States	Texas
Avid Telecom	United States	AZ
Axkan Consultores	Mexico	Querétaro de Arteaga
Axtel	Mexico	Nuevo León
Baltimore-Washington Tel Co / BWT	United States	CA
Bandwidth	United States	North Carolina
Bare Telecom LLC	United States	California
Bell Canada	Canada	Alberta

BICS / Belgacom / Proximus	Belgium	Bruxelles-Capitale
Blazon Solutions Pvt Ltd.	India	Delhi
Bluekites	India	West Bengal
Bluestar Telecom	India	Gujarat
Bluetone Communications	United States	New York
BMS Telecom	India	Maharashtra
BridgeVoice Inc.	United States	New York
BridgeVoice, Inc.	United States	NY
Brightlink	United States	Georgia
Broadband Dynamics, LLC.	United States	Arizona
Broadband Telecom Inc.	United States	California
Business Telecommunications Services / BTS	United States	Florida
Buzztel Communications	India	Delhi
C o r e C o m m (Obsolete)	United States	CT
Call Bound / SDW Telecom	Brazil	Minas Gerais
CallCaribe, Inc.	United States	
Callfire, Inc.	United States	California
Callwithus LLC	United States	Florida
Callworxs	Philippines	Metro Manila
Caprus IT	India	Telangana
Carrier Connect Corporation	United States	Texas
CCI Network Services	United States	Utah
Cellcom / Nsight / Northeast Tower	United States	Wisconsin
Centurylink / Lumen / Qwest / Level3	United States	Louisiana
Cequel / Suddenlink	United States	Missouri
Certain Communications, Inc.	United States	California
CHANESTE SA	Uruguay	Treinta y Tres
Charter Communications	United States	Connecticut
Checkbox Telecom	Dominican Republic	Distrito Nacional
Cincinnati Bell	United States	Ohio
Circells Mobile Telekom (China)	China	Hong Kong
Clarity Networks	Australia	Queensland
Clear Rate Communications, Inc.	United States	Michigan
Comcast	United States	Pennsylvania
Computer Telephony Innovations (Voxtelesys)	United States	North Dakota
Computertel, Inc. / Talktel Directo	United States	Nevada
Concillii Global Corporation	United States	California
Connect First, Inc.	United States	Colorado
Connexum	United States	California
Consolidated Communications	United States	Illinois
Contact Center Specialists LLC	United States	Wyoming
Convecton Telecom / Yupifon	Mexico	Estado de MÃ©xico
Convoso	United States	California
Coretel / Core Communications	United States	South Carolina
Cowboy Concepts LLC	United States	Wyoming
Cox Communications	United States	Georgia
Coyote Telecom	United States	Montana

Crazy Networks	Australia	Queensland
Cronosell Telecom Limited	Ukraine	Lviv
Custom Tel, LLC.	United States	New York
CWVL Servicios y Tecnologia S.R.L	Dominican Republic	
Cybertech	United Arab Emirates	
Cyberxify / Soft-o-tel	Pakistan	
Daniel Group	Germany	Berlin
Davis Telecom	Panama	
Dawz Telecom	Canada	
DC Technologies	India	West Bengal
Dialpad	United States	CA
DID Central, LLC	United States	WY
Digipillar IT	India	
DOC IT NETWORKS	Hong Kong	
Dollar Phone	United States	NY
Dorial Telecom	United States	Florida
DTH	Canada	
DTX	Philippines	
Dynamic Interactive / Call Tools	United States	CA
Easttech Network	Pakistan	
Echosystems	Philippines	
Emperus Services	India	
Endstream	United States	NY
ESAMPARK / E Sampark	India	Gujarat
EssexTel, Inc. / ATNI	United States	MA
Etelix.com USA, LLC	United States	FL
ETI Telecom / Eurus - India	India	
Evenvoip Telecom	United Arab Emirates	
Family Communication Pte. Ltd.	Singapore	
Fast Mark	Unknown	
FASTQUBE-DSEVEN	Malaysia	Kuala Lumpur
Fets Ltd	United Kingdom	London
Findx	Pakistan	Punjab▲b
First Step Technology	Hong Kong	
First Wish E Solutions	India	
FirstLight Fiber	United States	
FIVE9	United States	CA
Flexile Telenetworks LLC	United States	TX
Fourfox Communications Pvt Ltd	India	
Frontier Communications	United States	CT
G4Telecom, Inc.	United States	WY
Gateway Global Communications LTD (PCCW)	United Kingdom	
Geo_Telecom	India	
Global Net Holdings Inc.	United States	Virginia
Global Pacific Voice, LLC.	United States	AZ
Global Solutions LLC	Philippines	Metro Manila
Global Telecom	India	Gujarat

Globex Telecom / Rubix Telecom	United States	Nevada
Glottel US, Corp / V-Tell	United States	
GM Telecom	United States	FL
Go2Tel Worldwide	United States	DC
Golden Gate Telecom	United States	CA
Google	United States	CA
Grace One Networks	Belize	
Gravis Apps	United States	Iowa
Great Choice Telecom LLC	United States	Texas
Great Lakes Communication	United States	Iowa
Green Voice Solutions	Dominican Republic	
Hawaiian Telcom, Inc.	United States	OH
Hayo Telecom, Inc.	United States	NJ
HD Carrier LLC	United States	Nevada
HD Tandem	United States	
Hello Hello Miami, LLC	United States	FL
Horizon Technology Group	United States	Florida
Huvitel	India	
I Dial U Cervont	United States	Arizona
iBasis, Inc.	United States	MA
Icon Global Services	United Kingdom	Greater London
ICX	Hong Kong	Hong Kong
IDT Telecom	United States	NJ
IKN	United States	GA
IPBTel / C3NTRO	Mexico	Ciudad de MÃ©xico
Imagine Telecom LTD		
Impact Telecom	United States	TX
Integrated Path Communications, LLC.	United States	NY
Intelepeer Cloud Communications	United States	CA
Inteliquent / Onvoy / Vitelity / Neutral Tandem	United States	IL
Intelnetwork Corp	United States	Florida
Intermax Telecom LLC	Peru	Lima
Intermetro Communications	United States	CA
IP Link Telecom / Tray Tech	United States	OR
IPBTel / C3NTRO	Mexico	Ciudad de MÃ©xico
IPGAB Networks Limited	India	Karnataka
iVoice / i Voice	United States	
J Squared / RPG / Rising Eagle	United States	TX
JH Infotech	India	
Jikatel Canada	Canada	Quebec
Junction Networks Inc.	United States	NJ
Juniper Communications	Hong Kong	Hong Kong
JYB Holding	United States	Delaware
Kalson	Pakistan	Sindh
Kamlesh VoIP	India	Bihar
Kat Telecom	United States	NY
KWK Communications	United States	NV

Landing Point Telecom / LP Telecom	United States	TX
Last Mile Corp	United States	Florida
Latinatel	Uruguay	
Leap Frog Telecom, LLC	United States	AZ
Leinwand DBA National Voice and Data	United States	NY
Liberia Telecom Corp (Libtelco)	Liberia	
Lietuva Telia	Lithuania	Vilnius
Link Glob LLC	United States	California
Linkage Group	Pakistan	
LiveVox	United States	CA
LogMeIn	United States	MA
Lotus Telco	Canada	Ontario
Louis Global	Australia	SA
M a t c h C o m - Not Used	United States	fl
Magnify Telecom / Just Deliver It	United States	AZ
Manifone	France	
MAQS Solutions	Pakistan	
Marchex, Inc.	United States	WA
Mash Telecom	Canada	Quebec
Mashunk Trading	Philippines	
Media5060	India	
MEO Portugal / Tofane Global	Portugal	
Micro United Telecom Pte Ltd	Singapore	
Microsoft dba Skype Communications US Corp	United States	Nevada
Microtalk Comm India	India	
Microtalk USA	United States	
Mitel / Shoretel	United States	
Mobi Telecom LLC	United States	Wyoming
Modok Telecom	United States	CA
Morees	India	Gujarat
Multi VoIP	India	
MVSOTELECOM	China	
My Country Mobile	United Arab Emirates	Dubai
NBI Telecom (NR)	India	
Nemesys Infotech	Hong Kong	Hong Kong
Netlatitude Inc.	United States	Texas
Netrio	United States	TX
Network Authority / TNAuthority	United States	CO
NGL Communications	United States	NC
NGN Latam / Datora	Brazil	SÃ£o Paulo
Novatel / X5 Solutions / Magna5	United States	TX
NT Telecom	United States	New York
Nuleef / Select Gateway Services / SGS	United States	GA
NuWave Communications	United States	
O1 Communications / Vaya Telecom	United States	CA
OLD V-a-y-a (do not use)		CA
Om Telentia	Hong Kong	

On Air Telecom	Pakistan	Punjab
One Smart Conferencing	United States	
One Source / GTT	United States	VA
OnTel Inc.	United States	
Ooma	United States	CA
Opextel, LLC	United States	FL
OXNP Telecom Limited	Hong Kong	Hong Kong
Paka Global (NR)	Pakistan	
Par Infinity	China	Hong Kong
PCIT Networks	India	
Peer VoIP Services	India	Delhi
Peerless Network	United States	IL
Pentex Global	Pakistan	
Phonix Infotech Business	India	Gujarat
Piratel	United States	CA
Placeholder Hop	United States	
PNG Telecom / PowerNet Global	United States	OH
Predictive Dialer Ltd	Thailand	
Prestige DR Voip	Dominican Republic	
Pronexus	United States	
Protel S.A.L. (Lebanon)	Lebanon	
PTGI International Carrier Services	United States	VA
PZ / Illum Telecommunication	India	
QuestBlue Systems Inc.	United States	North Carolina
Quickcom Telecom Limited	China	
QXTel	United Kingdom	
R Squared / 200 Networks	United States	OH
Raise Solution	Pakistan	
Range Telecom	United States	DE
RCN Telecom	United States	New York
Red Telecom LLC	United States	FL
Renovaten	United States	FL
Revation Systems	United States	
Ring Central, Inc.	United States	CA
Riotel	India	Maharashtra
Roor Inc	United States	CA
RSCom / NGP Telecom	United States	TN
Rural Country Marketing, Inc.	Unknown	
S7500	India	
Sam Tel / India	India	
Saratech Technologies	India	
SBTS / S and BTS Global (Japan)	Japan	
Setion Limited	Seychelles	
SFM	Pakistan	
Shayona Global	Hong Kong	
Shrik Corporation	Germany	
Sigma Telecom	Turkey	

Silver Star Communications	United States	WY
Simple SIP Solutions	United States	
Sinch	Sweden	
SIP RETAIL	United States	AZ
SipConnex	United States	WY
SIPJoin	United States	VA
SIPNEX	Canada	British Columbia
Skycall Services - India	India	
Skyfall Voice Communications Pvt Ltd	India	Tamil Nadu
Skysoft	India	
Skytel Digicom	Singapore	
Smart Automation Systems	Colombia	
Smartbiz Telecom, LLC	United States	FL
SMS Consortium LLC	United States	
Solution4 Callcenter	United States	
SoTel Systems / VoIPLink	United States	MO
South Season Wholesale	Belgium	
Sprint [[legacy - do not use]	United States	Kansas
Starcom Global	United States	MD
Startel Communication	United States	IN
Stele Services	United Arab Emirates	Ras al Khaimah
Strategic IT	United States	FL
Stratics Networks	Canada	
Sudoware	Pakistan	
Sunny Telecom		Indiana
Syno Global / Synoglobe	Unknown	
T-Mobile USA, Inc. / Sprint	United States	Washington
Talk Asia Voip	Pakistan	
Talkie Fiber / Sonic Communications	United States	MD
TCA VOIP / Telecom Carrier Access	United States	CA
Techknowledge Open Systems	South Africa	
Techshoster	India	
Techstoday / Primetel Worldwide	Canada	
Telcast Network / Voovertel	United States	Texas
Telco 214 Inc.	United States	Florida
Telco Connection	United States	CA
Telconus / Telcon US / Telcon Voice / Whisl	United States	TX
Telecom Malaysia	Malaysia	Wilayah Persekutuan (Kuala Lumpur)
TELECOM ROUTES 53	Singapore	Central Singapore
Teleinx, LLC	United States	FL
TELEMONDO PTE. LTD.	United Kingdom	Hertfordshire
Telenex Infotech	India	Uttar Pradesh
Telengy / Callcentric	United States	New York
Telesero / Fiducia	United States	NY
Televox Communications	Philippines	
Teliix	United States	CO
Telintel	United States	FL

Telista / Radius / Voxy Telecom	India	Maharashtra
Tellza / Phonetime / Matchcom	United States	FL
Telnet Worldwide, Inc.	United States	MI
Telnovo Communications Inc.	Philippines	
Telnyx	United States	IL
Telrapid LLC	United States	
Telstra	Australia	
TeO (Telecom Oman)	Oman	
TextNow / Enflick, Inc.	Canada	Ontario
The Ringless Call	India	
The Voip Network	Pakistan	Sindh
The VoIP Supplier	Canada	
thinQ	United States	North Carolina
Third Base International Telecom, LLC	United States	Florida
Third Rock Telecom	Canada	British Columbia
Tirth Informatics Pvt Ltd	India	
TNZI USA LLC	United States	CA
Toll Free Deals / Ecommerce	United States	AZ
TouchTone	United States	NJ
TransferConnect	United States	NJ
Trixcom / Vibtree Technologies, LLC	United States	AZ
Twilio	United States	CA
US South Communications / InComm	United States	GA
USCellular	United States	IL
Utility Telephone, Inc.	United States	CA
V i t e l i t y - Obsolete	United States	IL
V o o v e r t e l	Unknown	
Vaspian LLC	United States	NY
Vasudev Global Pte Ltd	Singapore	Central Singapore
VaultTel Solutions	United States	CA
VDComm INC	India	
Verizon	United States	NJ
Victory Telecom, Inc.	United States	TX
VNexus	Hong Kong	Kowloon
Voicent	United States	CA
VoiceTerm Inc.	United States	WY
Voicetouch	India	
VoiceValley	Hong Kong	Hong Kong
Voifone Carrier, LLC	United States	Utah
VOIP Clear Communications / HostedTel LTD / Voitec	United States	
VoIP Essential / Rapid Eagle	United States	California
VOIP Garden	Hong Kong	
VOIP Street / VoIP Innovations	United States	PA
VOIP Terminator / BL Marketing	United States	FL
Voipinfosol	India	
VoIPInvite	Canada	Ontario
VoIPMEN Pvt Ltd / Dialer360	Pakistan	Punjab

VoIPShout Technologies	Hong Kong	
VOIPTEL ASIA PREMIUM	Asia	
VOIPXHUB	India	
Voizbiz Information Technology Solutions	Philippines	Mutinlupa
Vonage	United States	
Vonix Networks	Singapore	
Voxbeam	United States	Florida
Voxie Network Limited	Hong Kong	Hong Kong
Voxology / Voiceinc / Binfone	United States	CA
Voxox / Telcentris	United States	CA
VoxPace	Singapore	
Voxterm / VAMP	United States	NC
Voxtel	Pakistan	
Voxvalley Technologies PTE Ltd	India	Telangana
VP	France	
Wains Solutions	Pakistan	
Wang Voip	China	Jiangsu
Warmconnect Internet Sevices	India	
WaterSoft Voip	Singapore	
We Com	Pakistan	
West Telecom Services / Hypercube / Intrado	United States	TX
Wide Voice, LLC.	United States	NV
Windstream / Earthlink / One Cmctns / Deltacom	United States	AR
World Hub Communications Limited	Hong Kong	
WorldPhone Internet Services Pvt Ltd. / WPI	India	Delhi
Worldwide VoIP	Dominican Republic	
WOW Business Services	United States	GA
XCast Labs	United States	CA
Xicomm LLC	Netherlands	
Xoiper	Pakistan	
Xpert Tel - India	India	
Xtelarz	Philippines	
xTension Services / First Communications	United States	OH
Yandex (NR)	Russia	
YMax	United States	FL
Yodel Technologies / Yodel Voice	United States	Utah
Ytel	United States	CA
Zeltor Universal, LLC	United States	CA

Provider Name	Country	State	Reason for Not Providing Information
3SKTechServices	Australia	Victoria	No reason provided
8x8	United States	California	No reason provided
AACM Voip	Dominican Republic	Distrito Nacional	No reason provided
Acrobat Communications / Telstar Express	United States	New York	No reason provided
Action Vox Inc.	United States	Wyoming	No reason provided
Adam Tech	Pakistan	Sindh	No reason provided
AGG ZAMAN MD TOHIDUT	Canada	Alberta	No reason provided
AGG Zhanbo Telecom Co	Taiwan	T'ai-pei	No reason provided
Agiosys Telecom	India	Delhi	No reason provided
AKA Management	United States	Wyoming	It is a violation of agreement by AKA to disclose confidential information regarding our customers and vendors
Atrix Comunication	India	Delhi	No reason provided
Barter VoIP Ltd / Intershore Consult (BVI) Ltd.	Virgin Islands, British	Tortola	No reason provided
Bella Telecom LTD	Israel		No reason provided
Bigfoot Mediatech Co. Ltd.	India	West Bengal	No reason provided
Call2Dial Communications Limited	China	Hong Kong	No reason provided
Chock Telecom	Colombia	Bogotá D.C.	No reason provided
Come2Voip	Costa Rica	Limón	No reason provided
CommPeak Ltd	China	Hong Kong	No reason provided
D4 Voice Limited	Hong Kong	Hong Kong	No reason provided
Deltracon Inc	United States	California	No reason provided
Dial Tel	United States		No reason provided
Dialcom	United States	California	No reason provided
Digicel Jamaica	Jamaica	Kingston	No reason provided
Digipillar IT	India		No reason provided
Dream Tech	India	Uttar Pradesh	No reason provided
DTAG	Germany		No reason provided
Easy2Call	India	Uttar Pradesh	No reason provided
Elite Tel	Pakistan		No reason provided
Elysian Telecom	Hong Kong	Hong Kong	No reason provided
Enterprise Telecom	Canada	British Columbia	No reason provided
Fets Ltd	United Kingdom	London	No reason provided
France Telecom Espana	Spain		No reason provided
Get A Call Ltd.	Hong Kong	Hong Kong	No reason provided
Global Integrated Comm / GIComm	Singapore		No reason provided
Global Voicecom	United States	NY	No reason provided
Globilinks Cloud Services	Pakistan		No reason provided
Gravis Marketing	United States	Florida	No reason provided
iCore Vision	India	West Bengal	No reason provided
Idiom Telecommunications Ltd	Hong Kong		No reason provided
IFly Communications	India		No reason provided
Inbound 101	India	Telengala	No reason provided
iNet Communications	United States	MA	No reason provided
INFO Telecom Sh p.k.	Albania		No reason provided
IPPBX (Cambodia)	Cambodia	Phnom Penh	No reason provided
IQ Telecom	United States		No reason provided

Ivoiceroutes Private Ltd	India	Haryana	No reason provided
Ivy Telecom SA	Switzerland		No reason provided
JD Marketing	Pakistan		No reason provided
Joly	Taiwan		No reason provided
Laxmi Networks	India	Haryana	No reason provided
Lexico Telecom LTD	Latvia		No reason provided
Liquid Telecom	Egypt		No reason provided
Marketing Maestros	Pakistan		No reason provided
Message Communications Limited	India		No reason provided
MetroIP Communications	United States	TX	No reason provided
Mix Networks	United States	FL	No reason provided
Mosaic Networkx, LLC	United States	CA	No reason provided
Neologic	India		No reason provided
Net Voip Communications	United States	FL	No reason provided
Nexcess Telecom Ltd	United Arab Emirates	Dubai	No reason provided
Nishant IT Solutions	India	Maharashtra	No reason provided
NM Communication	India	Delhi	No reason provided
NTC International, Inc.	United States	DE	No reason provided
Omiz Solutions	India		No reason provided
OneTen Communication	Pakistan	Sindh	No reason provided
PAI Telecommunications	Japan		No reason provided
Prerana Technologies	India		No reason provided
PrimeComInfoTech	India		No valid contact information
PULSE TALK GLOBAL	India	West Bengal	No reason provided
Pulse Telesystems	India		No reason provided
Qemert Pro Technology	Dominican Republic	Distrito Nacional	No reason provided
Quantum Global Communications	Malaysia	Federal Territory of Labuan	No reason provided
SamTel	Thailand	OH	No reason provided
Sify Technologies	India		No reason provided
Silver Waves Technovate Private Limited	India		No reason provided
Skylight AG	Colombia		No reason provided
Skyvoipnet / Sky VoIP	United States	Florida	No reason provided
SMKVoIP (Pakistan)	Pakistan		No reason provided
Sol Teck	Dominican Republic		No reason provided
Soltech	Uzbekistan		No reason provided
Sumco	Panama		No reason provided
Sun Telecom	Belize		No reason provided
Tata Communications (America) Inc.	United States	VA	No reason provided
Telespan Communications, LLC	United States	CA	No reason provided
Teli Communications	United States	CO	No reason provided
			The upstream provider that sent the call to TELUS is not a traceback member and they don't wish to participate. TELUS declined to share the name of the provider without consent.
TELUS Communications Inc. / Telus Group Pvt Ltd	Canada	British Columbia	
TrackDrive / RTK Media	United States		No reason provided
Trivia Software Technologies	India		No reason provided
TVI Connect	United Kingdom		No reason provided
United Communications Assn / United Telephone Assn	United States	Kansas	No reason provided

USA Digital	United States	OK	No reason provided
V1 VOIP	United States	Florida	No reason provided
Vector Telephony	India	Gujarat	No reason provided
Virtual Telecom Kft / Technologic	Hungary	Budapest	No reason provided
Vitcomm	United States	NY	No reason provided
Voice Are Us Ltd	Italy	Campania	No reason provided
Voice Free Communication	India		No reason provided
VOIP BPO	Pakistan	PunjÄ▲ b	No reason provided
Voip Bridge	India		No reason provided
VOIP Max	Philippines		No reason provided
Vox Contact Solutions LLC	United States	DE	No reason provided
VS Technology	India		No reason provided
Wastech Solutions	India		No reason provided
White Dog Techno	Malaysia	Wilayah Persekutuan (Kuala Lumpur)	No reason provided
Xoom Telecom	Australia		No reason provided
Xpert Solution - Pakistan	Pakistan		No reason provided

PROVIDER	Total Tracebacks	NRs
Telesero / Fiducia (United States, NY)	38	37
Enterprise Telecom (Canada, British Columbia)	27	27
OneTen Communication (Pakistan, Sindh)	27	27
AGG RBM Comm / World Connect / CGS / Call Global System Pvt Ltd (India, Maharashtra)	24	21
Virtual Telecom Kft / Technologic (Hungary, Budapest)	22	20
Lexico Telecom LTD (Latvia)	18	18
Stratics Networks (Canada)	61	17
AKA Management (United States, Wyoming)	33	16
Sumco (NR) (Panama)	15	15
PrimeComInfoTech - No Valid Contact Info (NR) (India)	19	13
Chock Telecom (Colombia, BogotÃj D.C.)	14	12
NM Communication (India, Delhi)	11	11
Voice Are Us Ltd (Italy, Campania)	11	11
Inbound 101 (NR) (India, Telengala)	12	10
Kalson (Pakistan, Sindh)	36	8
Teli Communications (United States, CO)	8	8

VoIPMEN Pvt Ltd / Dialer360 (Pakistan, Punjab)	23	8
J Squared / RPG / Rising Eagle (United States, TX)	59	7
Pulse Telesystems (India)	7	7
Green Voice Solutions (Dominican Republic)	30	6
IQ Telecom (United States)	7	6
Quantum Global Communications (NR) (Malaysia, Federal Territory of Labuan)	6	6
PAI Telecommunications (Japan)	6	6
Get A Call Ltd. (Hong Kong, Hong Kong)	13	6
Deltracon Inc (United States, California)	6	6
Adam Tech (Pakistan, Sindh)	6	6
IFly Communications (NR) (India)	6	6
Dorial Telecom (United States, Florida)	18	6
Neologic (NR) (India)	6	6
Icon Global Services (United Kingdom, Greater London)	50	6
VS Technology (NR) (India)	6	6
Elite Tel (NR) (Pakistan)	5	5

Marketing Maestros (Pakistan)	6	5
Vitcomm (NR) (United States, NY)	5	5
3SKTechServices (Australia, Victoria)	5	5
Qemert Pro Technology (Dominican Republic, Distrito Nacional)	8	5
Global Solutions LLC (Philippines, Metro Manila)	9	5
Global Voicecom (NR) (United States, NY)	13	5
D4 Voice Limited (Hong Kong, Hong Kong)	5	5
Tata Communications (America) Inc. (United States, VA)	5	5
iCore Vision (India, West Bengal)	5	5
Barter VoIP Ltd / Intershore Consult (BVI) Ltd. (Virgin Islands, British, Tortola)	5	5
NTC International, Inc. (United States, DE)	6	5
INFO Telecom Sh p.k. (NR) (Albania)	4	4
IPPBX (Cambodia) (Cambodia, Phnom Penh)	4	4
Ivoiceroutes Private Ltd (India, Haryana)	4	4
France Telecom Espana (NR) (Spain)	4	4

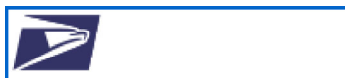
Wastech Solutions (NR) (India)	4	4
Endstream (United States, NY)	16	4
Elysian Telecom (Hong Kong, Hong Kong)	4	4
Message Communications Limited (India)	4	4
Nishant IT Solutions (India, Maharashtra)	4	4
Om Telentia (Hong Kong)	17	4
SamTel (NR) (Thailand, OH)	4	4
Come2Voip (Costa Rica, LimÃ³n)	4	4
Skyvoipnet / Sky VoIP (United States, Florida)	4	4
Bella Telecom LTD (NR) (Israel)	4	4
Trivia Software Technologies (India)	4	4
Altec Communications Kosovo (Albania)	14	4
Voice Free Communication (India)	4	4
VOIP Clear Communications / HostedTel LTD / Voitec (United States)	13	4
VOIP Max (Philippines)	7	4
Vox Contact Solutions LLC (NR) (United States, DE)	4	4

1st Point
Communications
(United States, New
Jersey)

9

4

EXHIBIT 5



Hello **Sarah Shifley**,

Your item was delivered to the front desk, reception area, or mail room at 2:42 pm on May 4, 2021 in IRVINE, CA 92614.

Tracking Number: [7008130000011825260](#)

Delivered, Front Desk/Reception/Mail Room



Tracking & Delivery Options

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EXHIBIT 6

From: [Shifley, Sarah A.](#)
To: [Manjinder Takhar](#); manjinder@deltracon.com; Kevin.Montalvo@gmail.com
Cc: [France, Lauren](#); [Hodor, William J.](#)
Subject: RE: Civil Investigative Demand to Deltracon Inc.
Date: Friday, May 7, 2021 10:13:00 AM

Mr. Takhar –

Here is the dial-in information again:

1-888-675-2535
PIN: 2204475#

We look forward to speaking with you at 11:00 AM Pacific.

Sarah Shifley

From: Manjinder Takhar <Manjinder@MSMleads.com>
Sent: Friday, May 7, 2021 9:47 AM
To: Shifley, Sarah A. <sshifley@ftc.gov>; manjinder@deltracon.com; Kevin.Montalvo@gmail.com
Cc: France, Lauren <LFRANCE@ftc.gov>; Hodor, William J. <WHODOR@ftc.gov>
Subject: Re: Civil Investigative Demand to Deltracon Inc.

Thank you

Manjinder Takhar
Cell: 760-975-7408

From: Shifley, Sarah A. <sshifley@ftc.gov>
Sent: Thursday, May 6, 2021 12:43:59 PM
To: Manjinder Takhar <Manjinder@MSMleads.com>; manjinder@deltracon.com
<manjinder@deltracon.com>; Kevin.Montalvo@gmail.com <Kevin.Montalvo@gmail.com>
Cc: France, Lauren <LFRANCE@ftc.gov>; Hodor, William J. <WHODOR@ftc.gov>
Subject: RE: Civil Investigative Demand to Deltracon Inc.

Dear Mr. Takhar,

We are available tomorrow at 11:00-11:30 AM Pacific. If that works for you, here is a conference call number: 888-675-2535; PIN 2204475#

Thank you,
Sarah Shifley

From: Manjinder Takhar <Manjinder@MSMleads.com>
Sent: Thursday, May 6, 2021 11:25 AM
To: Shifley, Sarah A. <sshifley@ftc.gov>; manjinder@deltracon.com; Kevin.Montalvo@gmail.com
Cc: France, Laureen <LFRANCE@ftc.gov>; Hodor, William J. <WHODOR@ftc.gov>
Subject: Re: Civil Investigative Demand to Deltracon Inc.

Hi Sarah,

Sorry just saw this email today. When can we schedule a call?

Manjinder Takhar

From: Shifley, Sarah A. <sshifley@ftc.gov>
Sent: Wednesday, May 5, 2021 10:51 AM
To: manjinder@deltracon.com; Manjinder Takhar; Kevin.Montalvo@gmail.com;
Takhar92069@yahoo.com; Manjinder.takhar@occcamsadvisory.com
Cc: France, Laureen; Hodor, William J.
Subject: Civil Investigative Demand to Deltracon Inc.

Dear Mr. Takhar and Mr. Montalvo,

On January 8, 2021, the Federal Trade Commission issued a Civil Investigative Demand (CID) to Deltracon Inc. via its registered agent. We received no response. Accordingly, we re-sent the CID via USPS Certified Mail to your mailing address in Irvine, California.

Pursuant to 15 U.S.C. § 57b-1(e), we are authorized to seek a court order compelling Deltracon Inc. to respond to the CID and reserve the right to do so if we do not hear from you. Please contact me as soon as possible to schedule a telephone call to discuss your compliance with the CID.

Best regards,
Sarah Shifley

Sarah Shifley • Attorney • U.S. Federal Trade Commission • Northwest Regional Office
915 Second Ave., Suite 2896 • Seattle, WA • 98174 • T: 206-227-6420

Confidentiality warning: This email may contain confidential and privileged information and is for the sole use of the intended recipient. If you believe that you may have received this email in error, please destroy all copies of the email and any attachments and notify the sender immediately. Thank you.

EXHIBIT 7

From: [Shifley, Sarah A.](#)
To: [Manjinder Takhar](#); manjinder@deltracon.com; manjinder@msmleads.com; Kevin.Montalvo@gmail.com; Manjinder.takhar@occcamsadvisory.com
Cc: [France, Lauren](#); [Hodor, William J.](#)
Subject: RE: Civil Investigative Demand to Deltracon Inc.
Date: Thursday, May 13, 2021 1:23:00 PM

Dear Mr. Takhar and Mr. Montalvo –

I'm sorry you were unable to join a call this afternoon. We have set aside time to talk about the CID tomorrow (Friday) morning at 9:00 AM Pacific. We hope you can talk then. The call-in information is the same as before:

1 (888) 675-2535
PIN: 2204475

All the best,
Sarah Shifley

From: Shifley, Sarah A.
Sent: Wednesday, May 12, 2021 3:26 PM
To: 'Manjinder Takhar' <takhar92069@yahoo.com>; manjinder@deltracon.com; manjinder@msmleads.com; Kevin.Montalvo@gmail.com; Manjinder.takhar@occcamsadvisory.com
Cc: France, Lauren <LFRANCE@ftc.gov>; Hodor, William J. <WHODOR@ftc.gov>
Subject: RE: Civil Investigative Demand to Deltracon Inc.

Dear Mr. Takhar –

We are available tomorrow at 1:00 PM Pacific and can use the same dial-in number.

Talk to you tomorrow.
Sarah

From: Manjinder Takhar <takhar92069@yahoo.com>
Sent: Wednesday, May 12, 2021 12:26 PM
To: Shifley, Sarah A. <sshifley@ftc.gov>; manjinder@deltracon.com; manjinder@msmleads.com; Kevin.Montalvo@gmail.com; Manjinder.takhar@occcamsadvisory.com
Cc: France, Lauren <LFRANCE@ftc.gov>; Hodor, William J. <WHODOR@ftc.gov>
Subject: Re: Civil Investigative Demand to Deltracon Inc.

Hello Everyone, sorry for last minute Notice. However a small emergency came up and i have to get on the road. Is it possible to reschedule for either tomorrow or Friday?

[Sent from Yahoo Mail for iPhone](#)

On Tuesday, May 11, 2021, 9:04 AM, Shifley, Sarah A. <sshifley@ftc.gov> wrote:

Thank you. Look forward to talking on Wednesday.

From: Manjinder Takhar <takhar92069@yahoo.com>

Sent: Monday, May 10, 2021 12:49 PM

To: Shifley, Sarah A. <sshifley@ftc.gov>; manjinder@deltracon.com;
manjinder@msmleads.com; Kevin.Montalvo@gmail.com;
Manjinder.takhar@occcamsadvisory.com

Cc: France, Laureen <LFRANCE@ftc.gov>; Hodor, William J. <WHODOR@ftc.gov>

Subject: Re: Civil Investigative Demand to Deltracon Inc.

Yes that works. I will add that to my calendar. Thank you

[Sent from Yahoo Mail for iPhone](#)

On Monday, May 10, 2021, 11:52 AM, Shifley, Sarah A. <sshifley@ftc.gov> wrote:

Mr. Takhar –

We are available on Wednesday (5/12) afternoon at 1:00 PM Pacific. If that time works for you and Mr. Montalvo, we can use the same conference line as last time:

1 (888) 675-2535

PIN: 2204475

Thanks,

Sarah Shifley

From: Manjinder Takhar <takhar92069@yahoo.com>

Sent: Monday, May 10, 2021 7:17 AM

To: Shifley, Sarah A. <sshifley@ftc.gov>;

manjinder@deltracon.com; manjinder@msmleads.com;
Kevin.Montalvo@gmail.com; Takhar92069@yahoo.com;
Manjinder.takhar@occcamsadvisory.com
Cc: France, Lauren <LFRANCE@ftc.gov>; Hodor, William J.
<WHODOR@ftc.gov>
Subject: Re: Civil Investigative Demand to Deltracon Inc.

Good morning. We did receive and review the letter. When can we schedule a second call?

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, May 5, 2021, 10:51 AM, Shifley, Sarah A.
<sshifley@ftc.gov> wrote:

Dear Mr. Takhar and Mr. Montalvo,

On January 8, 2021, the Federal Trade Commission issued a Civil Investigative Demand (CID) to Deltracon Inc. via its registered agent. We received no response. Accordingly, we re-sent the CID via USPS Certified Mail to your mailing address in Irvine, California.

Pursuant to 15 U.S.C. § 57b-1(e), we are authorized to seek a court order compelling Deltracon Inc. to respond to the CID and reserve the right to do so if we do not hear from you. Please contact me as soon as possible to schedule a telephone call to discuss your compliance with the CID.

Best regards,

Sarah Shifley

Sarah Shifley • Attorney • U.S. Federal Trade Commission •
Northwest Regional Office

915 Second Ave., Suite 2896 • Seattle, WA • 98174 • T: 206-227-
6420

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EXHIBIT 8

From: [Shifley, Sarah A.](#)
To: manjinder@deltracon.com; manjinder@msmleads.com; [Manjinder Takhar](#); Kevin.Montalvo@gmail.com; Manjinder.takhar@occcamsadvisory.com
Cc: [France, Lauren](#); [Hodor, William J.](#)
Subject: Civil Investigative Demand to Deltracon Inc.
Date: Thursday, May 20, 2021 9:28:00 AM

Dear Mr. Takhar and Mr. Montalvo,

I am writing to follow up after the phone conferences that you missed last week. We understand that you received the FTC's Civil Investigative Demand (CID) to Deltracon Inc. that was delivered by certified mail to Deltracon's address in Irvine, California. However, we haven't heard from you since Mr. Takhar cancelled the phone conference scheduled for March 12. As stated in the CID, the original deadline for responding was February 8. This means that you are now in default. And, since you missed the phone conferences, we have not had a meet and confer regarding compliance with the CID. Should you continue to not meet your legal obligation to respond to the CID, we will need to explore various options, including judicial enforcement of the CID.

Please contact me no later than Monday, May 24 should you wish to discuss compliance with the CID and production of the information and documents requested therein.

Thank you,
Sarah Shifley

Sarah Shifley • Attorney • U.S. Federal Trade Commission • Northwest Regional Office
915 Second Ave., Suite 2896 • Seattle, WA • 98174 • T: 206-227-6420 • [she/her/hers](#).

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1
2 **UNITED STATES DISTRICT COURT**
3 **CENTRAL DISTRICT OF CALIFORNIA**

4 FEDERAL TRADE COMMISSION,

5 Petitioner,

6 v.

7 DELTRACON INC.,

8 Respondent.
9
10

Civ. No. 8:21-mc-25

**[PROPOSED] ORDER TO
SHOW CAUSE**

11 Petitioner, the Federal Trade Commission (FTC or Commission), under the
12 authority conferred by Section 20 of the FTC Act, 15 U.S.C. § 57b-1 and Fed. R.
13 Civ. P. 81(a)(5), has invoked the aid of this Court for an order requiring
14 Respondent, Deltracon Inc., to comply with a civil investigative demand (CID),
15 issued to it on January 8, 2021, in aid of an FTC law enforcement investigation.

16 The Court has considered the FTC’s Petition to Enforce Civil Investigative
17 Demand and the papers filed in support thereof, and it appears to the Court that
18 Petitioner has shown good cause for the entry of this Order.

19 **IT IS HEREBY ORDERED** that, by _____, 2021,
20 Respondent shall (1) produce forthwith to the Commission: (a) all non-privileged
21 documents responsive to the Commission’s January 8, 2021 CID; (b) a privilege
22 log listing all responsive documents withheld based upon a claim of privilege; (c)
23 narrative responses to all interrogatories in the January 8, 2021 CID; and (d) sworn
24 certifications as to the completeness of the production and interrogatory response;

25 **OR**

26 (2) by that date, file and serve (by hand or electronically via email) on counsel for
27 the Commission its response to the Commission’s petition. As Respondent did not
28 file a petition to limit or quash the January 8, 2021 CID, any response to the

1 Commission must demonstrate good cause for the failure to raise such objections
2 previously. Absent such good cause shown, no objections that could have been, but
3 were not, raised in an administrative petition to quash shall be considered. Any
4 reply by the Commission to an opposition filed by Respondent shall be filed with
5 the Court and served (by hand or electronically via email) on Respondent and/or its
6 counsel. Such reply shall be filed and served no later than _____ days after
7 service of Respondent's opposition.

8 **IT IS FURTHER ORDERED** that if Respondent files an opposition,
9 Respondent shall appear by telephone by dialing _____ at ____ a.m./p.m.
10 on the ____ day of _____, 2021, in Courtroom No. ____ of the United
11 States Courthouse for the Central District of California in Santa Ana, California
12 and show cause, if any there be, why this Court should not enter an order, subject
13 to the penalty of contempt, directing Respondent to comply with the Commission's
14 January 8, 2021 CID. Unless the Court determines otherwise, notwithstanding the
15 filing or pending of any procedural or other motions, all issues raised by the
16 petition and supporting papers, and any opposition to the petition will be
17 considered at the hearing on the petition, and the allegations of said petition shall
18 be deemed admitted unless controverted by a specific factual showing; and

19 **IT IS FURTHER ORDERED** that, pursuant to Fed. R. Civ. P. 81(a)(5) and
20 26(a)(1)(B)(v), this is a summary proceeding and no party shall be entitled to
21 discovery without further order of the Court upon a specific showing of need; and
22 that the dates for a hearing and the filing of papers established by this Order shall
23 not be altered without prior order of the Court upon good cause shown; and

24 **IT IS FURTHER ORDERED** that, pursuant to Fed. R. Civ. P. 81(a)(5) and
25 its 1946 Advisory Committee note, a copy of this Order and copies of said Petition
26 and exhibits filed therewith, shall be served forthwith by Petitioner upon
27 Respondent and/or its counsel, using as expeditious means as practicable.
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IT IS FURTHER ORDERED that counsel for the FTC may appear telephonically at the _____, 2021 show cause hearing.

It is so **ORDERED** this ____ day of _____, 2021.

UNITED STATES DISTRICT JUDGE