



Mobile Cramming

An FTC Roundtable

Bios

Michael Altschul is Senior Vice President and General Counsel at CTIA – The Wireless Association. He is responsible for the Association’s legal advocacy, CTIA’s compliance with antitrust and other applicable laws, and he is an active participant in the development of the Association’s public policy positions. Altschul joined CTIA in 1990 after serving with the Antitrust Division of the United States Department of Justice. Prior to that, he began his legal career as an attorney specializing in antitrust litigation with Simpson Thacher Bartlett in New York City. During his ten year stint at the Justice Department, Altschul worked exclusively on communications matters, including the Modification of Final Judgment and the GTE decree, as well as related FCC filings and telecommunications industry mergers and acquisitions. Altschul received a Bachelor of Arts in Political Science from Colgate University, and a Juris Doctor from the New York University School of Law.

Dave Asheim is a veteran of up-and-coming technology and software providers with 11 years of mobile technology experience. He launched Guide by Cell in 2004 with the initial goal of bridging the gap between cultural institutions and their patrons, and the business has since expanded to offer mobile technologies to solve a wide variety of problems faced not only by cultural institutions and nonprofit organizations, but government agencies, retailers, major corporations and more. Give by Cell, the mobile fundraising division, was formed in 2008 to serve the nation’s non-profit community. The company services over 2,000 clients throughout the world. Dave is a frequent speaker on mobile topics, speaking at over six events each year. Before founding Guide by Cell in 2004, he was President of iHello Inc., a voice-xml provider of services to large enterprises. He also ran Well Engaged, a spin-off from The WELL, which was the largest B2B software provider of web-based

chat and discussion software and the pioneers of pre-Google/Facebook social networking. Dave holds a B.S. in finance and an M.B.A., both from the University of Illinois.

John Breyault is Vice President of Public Policy, Telecommunications and Fraud at the National Consumers League. John joined the NCL – America’s oldest consumer organization – in September 2008. His focus at NCL is advocating for stronger consumer and worker protections before Congress and federal agencies on a range of issues including telecommunications and technology policy, fraud, and consumer financial protections. In addition, John directs NCL’s Fraud.org anti-fraud education and advocacy campaign. Prior to joining NCL, John was Research Director for the Telecommunications Research and Action Center, where he advocated on behalf of residential telecommunications consumers and produced a range of telecommunications-focused consumer education materials. He is a graduate of George Mason University, where he received a bachelor’s degree in International Relations with a minor in French. He lives in Arlington, Virginia with his wife, two children and a deranged Jack Russell Terrier named Pixie.

John Bruner is Aegis Mobile’s Chief Operating Officer. John is responsible for leading the operations and driving the strategy of the company. John has a broad background of experience that includes technology innovation and strategy, process re-engineering, financial reporting and analytics, enterprise software development, data warehousing and business intelligence services. Prior to joining Aegis

Mobile, John was Corporate Vice President Business Information Solutions for Alion Science and Technology. John also spent 18 years at Fannie Mae during which time he led the implementation of state of the art data warehousing and business intelligence services for the enterprise.

Larry W. Bryenton is Strategic Policy Advisor and Major Case Director with the Fair Business Practices Branch of the Competition Bureau Canada. Larry has gained significant experience in enforcing Canada’s competition law, including working in the areas of mergers, civil and criminal matters. He has been involved in a number of policy development areas in relation to the Bureau’s false and misleading advertising provisions, including being responsible for developing the Bureau’s internet and environmental advertising guidelines, and was most recently directly involved in the legislative development process for the recently enacted Canadian anti-spam legislation. He is currently responsible for leading the Bureau’s efforts in international cooperation and coordination for false or misleading enforcement matters. He has spent a year on interchange with the Australian Consumer and Competition Commission in Melbourne, Australia. He holds a Master’s degree in Economics.

Larissa Bungo is the Assistant Regional Director for the FTC’s East Central Region. Ms. Bungo joined the agency in 1995, and served as a staff attorney for many years prior to her current job. On behalf of the FTC, Ms. Bungo has handled and supervised civil fraud cases, including internet and business opportunity

schemes, unauthorized billing, foreclosure rescue, national advertising, consumer credit, and debt collection matters. Ms. Bungo also served as a Special Assistant United States Attorney for the Eastern District of Pennsylvania, assisting with the prosecution of individuals engaged in a cramming scheme. Ms. Bungo received her law degree from Case Western Reserve University in Cleveland, Ohio, and her undergraduate degree from the University of Iowa.

Jim Chilsen has been with the Citizens Utility Board (CUB) for 13 years. As CUB's Director of Communications, Mr. Chilsen takes the lead in organizing statewide media and information campaigns, manages daily content for CUB's Web, Twitter and Facebook pages, and leads the organization's e-mail campaigns, including weekly E-newsletters to CUB constituents and E-lobbying efforts to local, state, and federal officials. He was a project manager on the team that launched the CUB Cellphone Saver and CUB Energy Saver, at the time making CUB the only consumer group in the nation to offer free, dynamic online services that provide people with customized audits of their wireless and energy bills. In December 2012, Mr. Chilsen was the lead organizer in a campaign that targeted cellphone cramming in the Land of Lincoln. Just months after Illinois used CUB headquarters as the backdrop to sign one of the nation's toughest laws against landline cramming, the consumer watchdog group, working in a partnership with wireless research firm Validas, targeted cellphone cramming. Their analysis warned consumers that scam artists driven from Illinois landline bills see cellphones as a "new frontier for fraud." Mr. Chilsen received a Bachelor of Arts degree in

Journalism and History from Marquette University in Milwaukee in 1991 and a Master of Arts degree in Journalism from Marquette in 1995. Before joining the nonprofit group, he was a newsman for The Associated Press.

Russell Deitch is an attorney with the Federal Trade Commission. For 24 years, he has investigated and litigated cases on behalf of the FTC in consumer protection and competition matters, including cramming. Mr. Deitch participated in the development and presentation of the FTC's forum on telephone bill cramming in 2011. He has been awarded the Paul Rand Dixon Award by the FTC for furthering the goals of the agency. Mr. Deitch is a graduate of UCLA Law School.

Delara Derakhshani serves as policy counsel in Consumers Union's Washington Office, where she is the lead advocate for the organization's telecommunications, media, and privacy efforts. Ms. Derakhshani graduated from The Catholic University of America's Columbus School of Law with a certificate from its Institute for Communications Law. She served as editor-in-chief of the school's telecommunications law journal, *CommLaw Conspectus: Journal of Communications Law and Policy*. Prior to joining Consumers Union, Ms. Derakhshani worked in the Government Affairs office of T-Mobile, USA, Inc. Her experience also includes internships with the Federal Communications Commission, National Association of Broadcasters, and PCIA – The Wireless Infrastructure Association. Ms. Derakhshani graduated from the University of Virginia, where she majored in Cognitive Science with a concentration in Neuroscience.

Lynn Follansbee is an Attorney-Advisor in the Policy Division at the Consumer and Governmental Affairs Bureau of the Federal Communications Commission (FCC). Lynn works on consumer policy issues related to cramming, bill shock and the TCPA. Lynn began her career at the FCC in 2007 as an Attorney-Advisor in the Broadband Division of the FCC's Wireless Bureau. Prior to joining the Commission, Lynn was in private practice representing the telecommunications providers since 1996.

Cara J. Frey is General Counsel of the Mobile Marketing Association (MMA), the premier global trade association representing all players in the mobile marketing value chain. Prior to joining the MMA, Ms. Frey worked for Davis Wright Tremaine in Portland, Oregon and Howard Rice Nemerovski Canady Falk & Rabkin in San Francisco, California. Ms. Frey received her J.D. from the University of Washington School of Law and her A.B. from Harvard College where she captained the Women's Basketball Team.

Jim Greenwell is the Chief Executive Officer and President of BilltoMobile. He brings more than 20 years of experience in the telecommunications industry and is responsible for driving the vision, growth and development of BilltoMobile. Forming deep relationships with key eco-system partners (top-tier wireless carriers, financial institutions and digital merchants), Jim's leadership has transformed BilltoMobile from a promising startup into a leader in mobile e-Commerce. Jim is now advancing the team's success globally and accelerating BilltoMobile's growth in Mobile Marketing and Mobile

Wallet Services. Jim joined BilltoMobile from ACE*COMM Corporation serving as president and CEO. Prior to ACE*COMM, Jim was the Sr. Vice President of the Americas and AsiaPac for LCC International. Jim began his career as a Military Intelligence Officer in the U.S. Army and holds an MBA from the Darden School of Business, University of Virginia.

Derek Halliday is the Director of Security Product Management at Lookout, Inc. Derek is responsible for leading Lookout's security and privacy products, including Lookout's Mobile Threat Network and malware analysis processes. Prior to joining Lookout, Derek served as product manager for The Guardian Project, an open source software project focused on developing mobile privacy and security tools.

Jim Manis is the Chairman and CEO of the Mobile Giving Foundation. Jim has over 25 years of experience in developing international markets for technology-based companies, advocating the advancement of wireless technology and promoting the mobile Internet on a global scale. He has been a primary leader in developing the mobile channel for the direct to consumer business and its use for interaction between brand and consumer. Jim was responsible for the first use of mobile giving in response to relief efforts for the Asian tsunami and Katrina as SVP of m-Qube, Inc. Jim founded the Mobile Giving Foundation in the 4th quarter of 2007 with the support of other leaders from the wireless and non profit communities to pioneer the use of the mobile channel for charitable giving. In addition to his work with the Mobile Giving

Foundation, Jim leads the consulting and venture catalyst company of 1024 Wireless Services, and provides strategic direction for its clients in the mobile space. Prior to 1024 Wireless Services, Jim was a member of the founding executive team for m-Qube, Inc where he was responsible for developing and maintaining relationships with their extensive list of carrier partners, securing m-Qube's position as the market leader for enabling technology-based companies, and advancing the growth and financial success of the industry. Known for his collaborative and inclusive style, Manis re-established the Mobile Marketing Association (MMA) and served as Global Chairman from 2003-2006, is a past member of the Wireless Internet Caucus Leadership Council, and serves as an advisor to a number of mobile related companies. He holds a Masters degree from the University of Washington and an undergraduate degree from Illinois State University.

Kate Whelley McCabe has been an Assistant Attorney General at the Office of the Vermont Attorney General since 2009, where she has worked in the Civil Litigation and Public Protection Divisions. Currently, in addition to handling telecommunications consumer protection matters, Kate does general consumer protection enforcement and lobbying work on behalf of the Office. Kate received her J.D. from The George Washington University Law School in 2006 and clerked for the Honorable Marilyn S. Skoglund, Associate Justice of the Vermont Supreme Court, from 2007-2009. Kate received her undergraduate degree in English and Economics at Wellesley College in 2000. She lives with her

husband, two children, and cocker spaniel in Montpelier, Vermont.

Malini Mithal is an Assistant Director for the Bureau of Consumer Protection's Division of Financial Practices at the Federal Trade Commission. Ms. Mithal is responsible for enforcement actions and regulatory policymaking over a broad range of consumer protection issues related to payment systems and financial services. This portfolio includes current and emerging practices such as mobile cramming, unauthorized billing, and deceptive lending and collection. Previously at the FTC, Ms. Mithal was a Counsel to the Director of the FTC's Bureau of Consumer Protection, and an attorney in the Bureau's Division of Enforcement. Ms. Mithal also served as a law clerk for the Honorable Alan S. Gold of the United States District Court for the Southern District of Florida, and is a graduate of Georgetown University and the Columbia Law School.

Martine Niejadlik is Compliance Officer and VP of Support for Boku. Martine brings 20 years of experience creating and leading risk management, fraud prevention and operations for financial institutions and payment leaders across the Web. Prior to her current position at Boku, she led teams at PayPal, eBay and Amazon and was also one of the developers of the FICO Score. Martine is also a founding member of the Merchants Risk Council, an organization dedicated to protecting users on the web.

Maureen K. Ohlhausen was sworn in as a Commissioner of the Federal Trade Commission on April 4, 2012, to a term that expires in September 2018. Prior to joining the Commission, Ohlhausen was a partner at Wilkinson Barker Knauer, LLP, where she focused on FTC issues, including privacy, data protection, and cybersecurity. Ohlhausen previously served at the Commission for 11 years, most recently as Director of the Office of Policy Planning from 2004 to 2008, where she led the FTC's Internet Access Task Force. She was also Deputy Director of that office. From 1998 to 2001, Ohlhausen was an attorney advisor for former FTC Commissioner Orson Swindle, advising him on competition and consumer protection matters. She started at the FTC General Counsel's Office in 1997. Ohlhausen graduated with distinction from George Mason University School of Law in 1991 and graduated with honors from the University of Virginia in 1984. Ohlhausen was on the adjunct faculty at George Mason University School of Law, where she taught privacy law and unfair trade practices. She served as a Senior Editor of the Antitrust Law Journal and a member of the American Bar Association Task Force on Competition and Public Policy. She has authored a variety of articles on competition law, privacy, and technology matters.

Duane Pozza is an attorney in the FTC's Division of Financial Practices. He focuses on consumer protection issues involving mobile technology and commerce, and is currently leading the Commission's litigation against an alleged mobile cramming operation in Georgia. Prior to joining the FTC, Mr. Pozza was a partner

in the D.C. office of Jenner & Block, where he worked extensively on litigation involving developing technologies, and he served as a law clerk to the Hon. Roslyn O. Silver of the United States District Court for the District of Arizona. He is a graduate of the University of Texas at Austin and Stanford Law School.

Jessica Rich is the Associate Director of the FTC's Division of Financial Practices. Ms. Rich oversees enforcement and policy work related to mortgage and debt relief fraud, debt collection, payday lending, auto financing, mobile payments, and other consumer protection issues arising in the financial sector. A 20+ year FTC veteran, Ms. Rich has held a number of senior positions at the agency, including Associate Director of the FTC's privacy division and Deputy Director of the Bureau of Consumer Protection. Ms. Rich's accomplishments include development of a number of FTC regulations; enforcement against companies such as Google, Microsoft, ChoicePoint, TJX, and LexisNexis; testifying before Congress on a variety of consumer protection issues; and spearheading policy initiatives, such as the FTC's Privacy Staff Reports and Mobile Program. Ms. Rich is a graduate of Harvard University and New York University Law School.

Stephanie Rosenthal is the Chief of Staff for the Bureau of Consumer Protection's Division of Financial Practices at the Federal Trade Commission. Previously at the FTC, Ms. Rosenthal was a staff attorney in the Division of Financial Practices. She has practiced in the areas of debt relief, debt collection, and mobile cramming. Before joining the FTC, Ms. Rosenthal was a litigation associate at Paul, Hastings,

Janofsky & Walker in Washington, D.C. Ms. Rosenthal received her J.D. from The Georgetown University Law Center and her A.B. in Economics from the University of Pennsylvania.

Andrew Schlossberg is a Mobile Technology Program Specialist in the Division of Financial Practices at the Federal Trade Commission, focusing on issues related to mobile commerce, privacy and security. As part of the Bureau of Consumer Protection's Mobile Technology Unit, Mr. Schlossberg is responsible for supporting a wide range of policy and enforcement efforts related to the emerging mobile marketplace. He joined the FTC in 2011 after receiving a B.A. in Political Science from the University of Pennsylvania.

Alan Sege is an accomplished executive with diverse management experience in the information technology, financial services, media and communications industries, and a highly respected attorney for the past 17 years. m-Qube, Inc. is the nation's largest and longest-operating mobile messaging and billing aggregator. Mr. Sege serves m-Qube as its Chief Strategy Officer, and for the past five years, has served on many industry leadership committees at the CTIA Wireless Association, Mobile Marketing Association and others working towards improving consumer protection in the mobile channel. Among the innovations that Mr. Sege has helped lead through his role at m-Qube: 2010 Haiti Earthquake Relief: Coordinated with carriers and charities to enable immediate deployment of high capacity service and instant payment processing for over \$40 million in individual donations through m-Qube premium SMS; Consumer Protection: Led m-Qube

and industry wide efforts, in concert with state attorneys general and state communications regulators, to develop and implement the MMA Consumer Best Practices for messaging and carrier billing; Political Donations: Worked with Federal Election Commission, carriers, major political parties to enable, deploy and market political contributions by text message during the 2012 federal election cycle. M-Qube served both Romney for President and Obama for America; Grassroots Organizing: Developing and deploying systems to enable advocacy and organizing groups to organize and educate on a mass-customized basis through advanced 2-way MMS (multimedia messaging).

Paul L. Singer is an Assistant Attorney General on the Internet and Privacy Team in the Consumer Protection Division of the Office of the Texas Attorney General. Mr. Singer specializes in the civil enforcement of state and federal laws relating to Internet, technology, and privacy-specific consumer protection issues. Specifically, Mr. Singer's caseload includes enforcing statutes relating to general deceptive trade practices committed online and through technology as well as Internet privacy, in addition to specific statutes relating to spam, phishing, spyware, children's privacy, and medical privacy. Prior to joining the Internet and Privacy Team, Mr. Singer worked in the Austin Regional Office within the Consumer Protection Division. There, Mr. Singer's caseload included an emphasis on the enforcement of state laws relating to debt collection, credit counseling, and regulatory licensing schemes. Mr. Singer received his J.D. with honors from the University of Texas School of Law, and his B.A. in English and Government with high honors from the University of Texas at Austin. Mr. Singer is

licensed to practice in all Texas state courts, the Western District of Texas Federal Court, and the Fifth Circuit Court of Appeals.

Melanie Tiano is Investigative Counsel to the Senate Committee on Commerce, Science, and Transportation. Ms. Tiano joined the Senate Commerce Committee, chaired by Senator John D. Rockefeller IV, in 2010. Under Chairman Rockefeller, the office's mandate is to uncover waste, fraud, and abuse in the public sector and harmful practices for consumers in the private sector. Since joining the Committee, Ms. Tiano has worked on several investigations, including the Committee's year-long investigation into cramming on consumers' wireline telephone bills. Ms. Tiano is a graduate of the University of Pittsburgh and Duquesne University School of Law.

Jim Trilling is an attorney in the FTC's Division of Advertising Practices, where he has worked on policy initiatives, investigations, and enforcement actions involving the installation of malware on consumers' computers and advertising claims used to sell dietary supplements, work-at-home programs, and Internet services. From 2010-2012, he served as a detailee to the Senate Commerce Committee, where he worked on a variety of consumer protection issues, including proposed data security and privacy legislation and investigations and reports regarding health insurance, the "gray market" distribution of short-supply prescription drugs, and cramming on landline telephone bills. Before joining the FTC, he practiced law with a firm in Washington, DC, and served as a law

clerk for Judge David F. Hamilton in the United States District Court for the Southern District of Indiana. He is a graduate of Indiana University-Bloomington and Harvard Law School.

Chris Witteman is a senior staff counsel at the California Public Utilities Commission. In that capacity he has for the last 12 years specialized in telecommunications and consumer protection issues. Most recently, he has represented the Commission's Safety & Enforcement Division in its litigation against Patrick Hines, Telseven LLC, and Calling 10 LLC, upon which the FCC relied in its recent Notice of Apparent Liability of those same Respondents. Prior to joining the Commission, he was in private practice, representing government agencies in banking fraud cases, and consumers and small business owners in actions involving cable television, the FTC's franchise rules, and vehicle service contracts, among other areas. In his spare time, he writes about the crisis in American communications networks today, including a law review article about the First Amendment on electronic networks ("Information Freedom: A Constitutional Value for the 21st Century," 36:1 *Hastings International and Comparative Law Review* 145 (2013), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2218076), and issues in the net neutrality debate ("Four Takes on Why Net Neutrality Matters," (December 2010) at <http://arstechnica.com/tech-policy/news/2010/12/virtual-freedom-the-master-switch-and-internet-architecture-uninhibited-robust-and-wide-open.ars>.)