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

19 **Federal Trade Commission,**

20 Plaintiff,

21 vs.

22 **James Christiano, et al.,**

23 Defendants.

No. 8:18-cv-00936 DOC (AGRx)

**Corrected* Notice of Application and
 Application for Default Judgment
 and Permanent Injunction Against
 Defendant World Connection USA,
 LLC**

Hearing: February 25, 2019, 8:30 am
 Judge: Hon. David O. Carter

Waiver of Oral Argument Requested

27
 28 * Corrected to add a hearing date (*see* Docket Nos. 59–60); though the FTC respectfully requests waiver of oral argument pursuant to Local Rule 7–15.

NOTICE

Plaintiff, the Federal Trade Commission, hereby applies for an order entering default judgment and a permanent injunction against Defendant World Connection USA, LLC, pursuant to Federal Rule of Civil Procedure 55(b).*

This application is based on this Notice and its accompanying Memorandum, the Declaration of James Evans pursuant to Local Rule 55–1, the Declaration of Diana Shiller, and other evidence attached hereto, and the pleadings and papers filed in this action.

The FTC was unable to confer with World Connection USA, LLC prior to filing this application, pursuant to Local Rule 7–3, because it is a defunct limited liability company and is not represented by counsel.†

The FTC requests that the Court waive oral argument on this application pursuant to Local Rule 7–15.

Respectfully submitted,

Alden F. Abbott
General Counsel

Dated: December 27, 2018

/s/ James Evans

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* There are seven defendants in this action. The six defendants other than World Connection USA, LLC have agreed to settlements (Docket Nos. 49–51 & 54).

† See *infra* notes 7–8.

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 25 15 U.S.C. § 6102 8

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TABLE OF EXHIBITS

Exhibit Number	Citation in Memo	Description
Declarations		
DJ 1	Shiller Dec.	Declaration of Diana F. Shiller, FTC Investigator, with Attachments A–L
DJ 2	McAlvanah Dec.	Declaration of Patrick McAlvanah, FTC Economist
DJ 3	Evans Dec.	Declaration of James Evans, FTC Counsel, Pursuant to Local Rule 55-1
DJ 4	Trent Dec.	Declaration of Justin Trent, Consumer
Testimony		
DJ 5	Fraley Tr.	Transcript of Continued Investigational Hearing of Houston Fraley, October 19, 2016
DJ 6	Paik Tr.	Transcript of Continued Investigational Hearing of Richard Paik, August 18, 2016
DJ 7	Ramsey Tr.	Transcript of Deposition of Justin Ramsey, May 18, 2017
DJ 8	Salisbury Tr.	Transcript of Investigational Hearing of Andrew Salisbury, July 20, 2016

MEMORANDUM

1
2 The Federal Trade Commission brought this law enforcement action against
3 two sets of defendants who participated in illegal telemarketing. One set of
4 defendants includes three corporate defendants¹ that constitute a common
5 enterprise named “World Connection,” together with the President of that common
6 enterprise, Defendant Andy Salisbury. The World Connection common enterprise
7 operates call centers² that paid for and received transfers of illegal robocalls, dialed
8 to numbers on the National Do Not Call Registry using spoofed caller ID
9 numbers.³ The President of the World Connection common enterprise and the two
10 active businesses have agreed to settle the FTC’s claims (Docket Nos. 49–51). The
11 third corporate entity comprising this common enterprise, World Connection USA
12 LLC (“WC-USA”), is defunct and has defaulted. Defaulting Defendant WC-USA
13 is the original United States-based alter-ego of settling defendant World
14 Connection, S.A. (“WCSA”), a Guatemalan business entity. WCSA and WC-USA
15 share a CEO, Hugo Vignolo. The FTC seeks a default judgment to prevent the
16 common enterprise from resurrecting WC-USA to resume its illegal activity. This
17 default judgment application therefore seeks injunctive relief only—identical to
18 that agreed to by the other members of the common enterprise—and does not seek
19 a monetary judgment.

I. Procedural History

20
21 The FTC filed its Complaint on May 31, 2018 (Docket No. 1). It served the
22 Summons and Complaint on Defaulting Defendant WC-USA on June 4, 2018, by
23

24 ¹ World Connection USA, LLC, a California limited liability company; World
25 Connection, LLC, an Idaho limited liability company; and World Connection, S.A.,
a Guatemalan business entity.

26 ² World Connection describes itself as “a mid-sized, bi-lingual contact center and
27 BPO [business process outsourcing firm] with locations in Guatemala City,
28 Guatemala and Boise, Idaho.” *See* Shiller Dec. ¶ 5 & Att. C (quoting World
Connection’s website).

³ Compl. ¶¶ 89–95 (Docket No. 1).

1 serving the company’s registered agent, Nicholas J. “Nick” Long.⁴ WC-USA failed
 2 to respond to the Complaint within the required twenty-one days.⁵ The Clerk of
 3 Court entered default against WC-USA on July 5, 2018.⁶ WC-USA is a defunct
 4 limited liability company and is not represented by counsel, so while it may be
 5 sued,⁷ it is not presently able to defend this action.⁸

6 A proposed Default Judgment and Final Order for Permanent Injunction as
 7 to Defendant World Connection USA, LLC is filed herewith.

8 **II. The World Connection Enterprise Violated the Law**

9 **A. The World Connection Enterprise**

10 The World Connection Enterprise (“World Connection”) consists of a
 11 Guatemalan call center business (WCSA) and its United States-based affiliates.
 12 WCSA is a Guatemalan business entity, founded in November 2011.⁹ Its formal,
 13 legal owners are Hugo Vignolo and Roberto Herrera, who are based in
 14 Guatemala.¹⁰ Vignolo is WCSA’s CEO.¹¹ Vignolo’s first U.S. affiliate was Nick

15 ⁴ See Proof of Service on World Connection USA, LLC via Nicholas J. Long,
 16 Registered Agent (Docket No. 18).

17 ⁵ See Fed. R. Civ. P. 12(a)(1)(A)(i); Request for Clerk’s Entry of Default as to
 18 Defendant World Connection USA, LLC (Docket No. 33).

19 ⁶ See Default by Clerk (Docket No. 34).

20 ⁷ WC-USA’s powers, rights, and privileges have been suspended by both the
 21 Secretary of State and the Franchise Tax Board. Shiller Dec. ¶ 4 & Att. B; see also
 22 Cal. Corp. Code § 17713.10; Cal. Rev. & Tax. Code §§ 23301, 23301.5.
 23 Nonetheless, “[a] suspended corporation may be sued.” *Grell v. Laci Le Beau*
 24 *Corp.*, 87 Cal. Rptr. 2d 358, 362 (Cal. Ct. App. 1999). And an injunction against
 25 WC-USA will bind the company’s “officers, agents, servants, employees, and
 26 attorneys [and] other persons who are in active concert or participation with” any
 27 of them, provided they receive actual notice of the injunction. Fed. R. Civ. P. 65.

28 ⁸ Among the “powers” of a California limited liability company is the power to
 “defend any action, arbitration, or proceeding, whether judicial, administrative, or
 otherwise.” Cal. Corp. Code § 17701.05. WC-USA’s powers are currently
 suspended. See *supra* note 7. WC-USA also lacks counsel, and it may not appear
 pro se. See Local Rule 83–2.2.2. Thus, unless and until WC-USA restores its good
 standing with the Secretary of State and the Franchise Tax Board, and it obtains
 counsel, it is not legally empowered to defend this action.

⁹ Shiller Dec. ¶ 6(a); Compl. ¶ 24.

¹⁰ Shiller Dec. ¶ 6(b); Salisbury Tr. 31:10–19.

1 Long, who formed Defaulting Defendant WC-USA as a limited California liability
2 company with Vignolo in May 2012.¹² Vignolo was the CEO of both WCSA and
3 WC-USA simultaneously. Two years before Vignolo and Long formed WC-USA,
4 Long was sued by the State of Texas for illegal robocalling in.¹³ Long is WC-
5 USA's manager and registered agent.¹⁴ Long and Vignolo worked together to sell
6 World Connection's call center services to American companies for about two
7 years, until Long cut ties with Vignolo.¹⁵ But WC-USA outlived Long's
8 relationship with Vignolo. Even as Vignolo found a new U.S. affiliate in Andy
9 Salisbury, Long's codefendant in the Texas lawsuit¹⁶ who founded World
10 Connection, LLC ("WC-LLC") in Idaho in July 2015, WC-USA continued to exist
11 with Vignolo as its CEO.¹⁷

12 Salisbury explained WCSA's desire to have United States-based affiliates in
13 testimony at an FTC investigational hearing:

14 We -- just going to the trade shows, we were finding a lot more
15 people are interested in having some onshore presence. ... So
16 we realized that to be competitive we were eventually going to
17 need to have more locations and try to get something --
18 something in the US as well.¹⁸

19
20 ¹¹ Shiller Dec. ¶ 6; Salisbury Tr. 31:10–12.

21 ¹² Shiller Dec. ¶ 3 & Att. A; Compl. ¶ 22.

22 ¹³ See First Am. Compl., *Texas v. SCM Media*, No. 09-cv-387 (W.D. Tex. Feb. 8,
2010) (ECF No. 43). Long settled these charges. See Stipulated Order, *SCM Media*,
23 No. 09-cv-387 (W.D. Tex. April 6, 2011) (ECF No. 83).

24 ¹⁴ Shiller Dec. ¶ 3 & Att. A. Vignolo signed a California Secretary of Statement
of Information form for WC-USA as its CEO. *Id.*

25 ¹⁵ Salisbury Tr. 205:4–9.

26 ¹⁶ See *supra* note 13.

27 ¹⁷ Shiller Dec. ¶ 4 (WC-USA has not been dissolved); see also Salisbury Tr.
28 193:10–197:3 (testifying about WC-LLC's role as WCSA's United States-based
affiliate). Salisbury had previously worked with Long and shared office space with
him when Long and Vignolo formed WC-USA. Salisbury Tr. 201:14–203:24.

¹⁸ Salisbury Tr. 198:23–199:8.

1 As a member of the World Connection Enterprise, Defaulting Defendant
2 WC-USA is liable for the Enterprise’s millions of TSR violations. Indeed, WC-
3 USA essentially served as WCSA’s American alter-ego. WC-USA and WCSA
4 shared a name (World Connection), a CEO and beneficial owner (Vignolo), and
5 business functions (selling and providing World Connection’s call center services).
6 Through these companies, “the same individuals were transacting an integrated
7 business through a maze of interrelated companies.” *FTC v. J.K. Publ’ns, Inc.*, 99
8 F. Supp. 2d 1176, 1202 (C.D. Cal. 2000) (quoting *Delaware Watch Co. v. FTC*, 332
9 F.2d 745, 746–47 (2d Cir. 1964)). Thus, “the pattern and frame-work of the whole
10 enterprise must be taken into consideration and the companies may be held liable
11 as a joint enterprise.” *Id.* (internal quotation marks omitted). As is the case for the
12 World Connection Enterprise here, “[d]efendants found to be a common enterprise
13 are held jointly and severally liable for the injury caused by their violations of the
14 FTC Act.” *Id.*; see also Compl. ¶ 28.

15 **B. The World Connection Enterprise’s Telemarketing Practices**

16 The World Connection Enterprise’s principal business relevant to this action
17 has been to provide call center services that play a role in its clients’ sales
18 processes. In a typical case, World Connection, its client, or a third-party
19 autodialing company would arrange for the dissemination of a robocall to millions
20 of consumers. These robocalls would pitch a product or service to consumers and
21 invite them to “press 1” for more information. Consumers who pressed “1” would
22 be transferred to a World Connection sales agent via a telephone number licensed
23 by World Connection for the next part of the sales process, which was often a
24 “prequalification” stage. For example, consumers responding to a robocall pitching
25 a home security system would need to be prequalified to ensure that they were
26 homeowners; consumers responding to a robocall pitching an extended auto
27 warranty would need to be screened to ensure their cars did not exceed the age and
28 mileage requirements for an extended warranty. After prequalification, World

1 Connection’s agents might continue the sales pitch, or pass the consumer on to
 2 another call center, either through an immediate “hot transfer” or by referring the
 3 consumer as a lead to be called back—a “cold transfer.”¹⁹

4 A notable example of World Connection’s telemarketing practices is its work
 5 helping to sell home alarm systems for Alliance Security, Inc., a company that has
 6 been sued twice by the federal government for violating the TSR, as well as by
 7 numerous private plaintiffs for making unlawful sales calls.²⁰ Evidence indicates
 8 that from just April 2014 through November 2015, Alliance Security wired more
 9 than \$1.7 million to World Connection as compensation for prequalifying potential
 10 Alliance customers as homeowners interested new home security systems.²¹
 11 During most of that period, Defaulting Defendant WC-USA was the only US-based
 12 company in the World Connection Enterprise that had been formed. And World
 13 Connection was still providing this service to Alliance through at least April
 14 2016.²² World Connection reached potential customers by paying FTC scofflaws
 15 Aaron Michael “Mike” Jones, Justin Ramsey,²³ and their businesses to blast out
 16
 17

18 ¹⁹ See generally Shiller Dec. ¶ 10(a) & Att. G (World Connection auto warranty
 19 prequalification script); Fraley Tr. 166:7–167:4 (testifying that World Connection
 20 took home security and auto warranty calls); *id.* 170:22–171:23 (testifying about
 21 World Connection’s typical telemarketing practice); Ramsey Tr. 214:9–16
 22 (testifying that World Connection prequalified consumers for extended auto
 23 warranties); Salisbury Tr. 95:8–96:9 & 206:25–207:14 (testifying that World
 Connection sales agents sold television subscriptions for Charter, Comcast, Time
 Warner, and Dish Network for one of Salisbury’s other companies); Compl. ¶¶ 60,
 70–71, 73.

24 ²⁰ See *United States v. Versatile Marketing Solutions*, No. 1:14-cv-10612 (D. Mass.
 25 filed Mar. 10, 2014); *FTC v. Gotra*, No. 1:18-cv-10548 (D. Mass. filed March 22,
 26 2018); *In re Monitronics International, Inc., Telephone Consumer Protection Act
 Litigation*, No. 1:13-md-2493 (N.D. W.V. filed Dec. 19, 2013); Compl. ¶ 10.

27 ²¹ Shiller Dec. ¶ 9 & Att. F (listing wire transfers from Alliance to WCSA).

28 ²² Ramsey Tr. 115:5–16, 116:18–117:1.

²³ See *FTC v. Jones*, No. 8:17-cv-58 (C.D. Cal. filed Jan. 11, 2017) (Carter, J.);
FTC v. Ramsey, No. 9:17-cv-80032 (S.D. Fla. filed Jan. 10, 2017).

1 robocalls.²⁴ The robocalls were dialed using the “TelWeb” autodialing platform
 2 provided by the other defendants in this action: NetDotSolutions, Inc. and
 3 TeraMESH Networks, Inc., both owned by James Christiano.²⁵ Consumers who
 4 pressed “1” or wanted to proceed after hearing the initial robocall were then routed
 5 to World Connection’s sales agents for prequalification, via a phone number
 6 registered to WCSA.²⁶ After World Connection prequalified consumers, it
 7 transferred the consumers to Alliance Security for the next step in the sales
 8 process.²⁷

9 **C. The World Connection Enterprise’s Violations of the**
 10 **Telemarketing Sales Rule**

11 The robocalls that delivered consumers to World Connection’s sales agents
 12 violated three provisions of the TSR.²⁸ *First*, as robocalls, they violated the TSR’s

13
 14 ²⁴ Shiller Dec. ¶ 8 & Att. E (listing wire transfers from WCSA to Prime
 15 Marketing LLC, a company owned by Justin Ramsey); Paik Tr. 350:5–18
 16 (testifying that World Connection paid Jones’s companies for dialing); Compl.
 17 ¶¶ 10, 60. Jones had an investment and profit-sharing arrangement with WCSA for
 18 part of the relevant time period. Salisbury Tr. 219:8–222:10.

19 ²⁵ Ramsey Tr. 44:15–45:11; 206:15–207:6 (testifying that call records showed
 20 robocalls dialed through TelWeb with “press 1” transfers routed to World
 21 Connection); Compl. ¶¶ 60, 64, 67, 71, 73. As detailed in the Complaint, TelWeb is
 22 a package of products and services including autodialing software, voice over
 23 internet protocol (“VoIP”) phone service, servers to host the autodialing software,
 24 and space to house the servers, all provided by the TelWeb Defendants. Compl.
 25 ¶¶ 3, 45–46. The TelWeb Defendants have reached provisional settlements with the
 26 FTC (Docket No. 54).

27 ²⁶ One provider registered 414 different phone numbers to World Connection.
 28 Shiller Dec. ¶ 7 & Att. D. Just one of those phone numbers received 205,279 “press
 1” transfers between June 2015 and May 2016. McAlvanah Dec. ¶ 4.

²⁷ *See generally* Fraley Tr. 169:5–170:21; Trent Dec. (describing the Alliance
 Security sales process, including getting a robocall on his office phone and being
 initially routed to a sales agent for prequalification); Shiller Dec. ¶ 12 & Att. K
 (confirming that Mr. Trent was transferred to a World Connection number);
 Ramsey Tr. 283:13–25 (testifying that Mr. Trent was likely prequalified for an
 Alliance home security system by a World Connection sales agent).

²⁸ World Connection is a “seller” under the TSR. “[I]n connection with a
 telemarketing transaction,” World Connection “offers to provide, or arranges for
 others to provide goods or services to the customer in exchange for consideration.”

1 prohibition on telemarketing calls delivering prerecorded messages.²⁹ *Second*,
 2 many of World Connection’s robocalls were made to telephone numbers on the
 3 National Do-Not-Call Registry, violating the TSR’s prohibition on making
 4 telemarketing calls to those numbers.³⁰ *Third*, many of the World Connection
 5 robocalls were made with spoofed caller IDs, violating the TSR’s requirement that
 6 telemarketing calls display an accurate caller ID for the telemarketer or seller
 7 responsible for each call.³¹

8 The scope of the illegal dialing done on World Connection’s behalf is
 9 staggering. An example of just about six months—beginning with an
 10 acknowledgement of World Connection’s illegal spoofing—is illustrative. On
 11 September 13, 2013, a TelWeb employee sent an email to an employee of Jones’s
 12 with the subject “spoof ANI must be removed asap” (ANI stands for automatic
 13 number identification and is another name for the caller ID number).³² The TelWeb
 14 employee advised: “Customer is World Connect [T]his is an invalid ANI
 15 They need to remove it and stop using it immediately.”³³ On the day of that email,
 16 twenty-three consumers complained to the FTC about calls from the same spoofed
 17 number, many indicating that they received home security robocalls.³⁴ That same
 18 day, a total of 3,778,502 robocalls were initiated on World Connection’s behalf via
 19 TelWeb, of which 588,796 were connected; of those that were connected, only

20 _____
 21 16 C.F.R. § 310.2(dd). For example, when working with Alliance Security, World
 22 Connection offered consumers home security systems, and played a role in
 23 arranging for Alliance to provide those security systems to consumers. World
 24 Connection’s robocallers, including Jones and Ramsey, are “telemarketers” under
 25 the TSR. “[I]n connection with telemarketing,” they “initiate[d] ... telephone calls
 26 to ... customer[s].” 16 C.F.R. § 310.2(ff). And World Connection and its
 27 robocallers are engaged in “telemarketing” under the TSR. 16 C.F.R. § 310.2(gg).

28 ²⁹ 16 C.F.R. § 310.4(b)(1)(v); Compl. ¶¶ 60, 64, 67, 71, 73.

³⁰ 16 C.F.R. § 310.4(b)(1)(iii)(B); Compl. ¶ 67.

³¹ 16 C.F.R. § 310.4(a)(8); Compl. ¶ 71.

³² Shiller Dec. ¶ 11 & Att. J.

³³ Shiller Att. J.

³⁴ Shiller Dec. ¶ 13 & Att. L.

1 5,019 resulted in a consumer pressing “1” for more information—that is, less than
 2 1% of consumers who answered the phone pressed “1.”³⁵ From September 14,
 3 2013 (the day after the email from NetDotSolutions about caller ID spoofing by
 4 World Connection) through March 4, 2014, more than 782 million robocalls were
 5 initiated on World Connection’s behalf via TelWeb, of which more than 115
 6 million were connected; of those that were connected, only about 946,000 (again
 7 less than 1%) resulted in consumers pressing “1” for more information and being
 8 connected to a World Connection sales agent.³⁶ These robocalls represent more
 9 than three-quarters of a billion violations of the TSR in less than six months—just
 10 a fraction of the illegal telemarketing that World Connection caused or assisted and
 11 facilitated.

12 World Connection is liable for causing its robocalling telemarketers to
 13 initiate these illegal calls.³⁷ First, *but for* World Connection paying its robocallers,
 14 including Jones and Ramsey, to make these illegal calls, they would not have been
 15 initiated. Second, *but for* World Connection accepting the “press 1” transfers from
 16 illegal robocalls, they would not have been initiated—robocalls with no one on the
 17 other end would be useless in making sales. Third, for the same reason, *but for*
 18 World Connection providing the phone number to which the “press 1s” were
 19 transferred, the illegal robocalls would not have been initiated. Thus, the World
 20 Connection Enterprise, including Defaulting Defendant WC-USA, is liable for

21 _____
 22 ³⁵ Shiller Dec. ¶ 10(b)(i) & Att. H.

23 ³⁶ Shiller Dec. ¶ 10(b)(ii) & Att. H.

24 ³⁷ It is a violation of the TSR: (1) “for a seller to cause a telemarketer to [initiate]
 25 any outbound telephone call that delivers a prerecorded message”—that is, a
 26 robocall, 16 C.F.R. § 310.4(b)(1)(v); (2) “for a seller to cause a telemarketer to
 27 [initiate] any outbound telephone call to a person when: ... That person’s telephone
 28 number is on the [National] ‘do-not-call’ registry,” 16 C.F.R. § 310.4(b)(1)(iii)(B);
 and (3) “for any seller or telemarketer to [fail to] cause to be transmitted the
 telephone number ... of the telemarketer, to any caller identification service in use
 by a recipient of a telemarketing call”—that is, spoofing caller IDs, 16 C.F.R.
 § 310.4(a)(8). A violation of the TSR constitutes a violation of Section 5 of the
 FTC Act. *See* 15 U.S.C. § 6102(c); 15 U.S.C. § 57a(d)(3).

1 causing the initiation of the millions of illegal telemarketing calls initiated on its
2 behalf.

3 In the alternative, even if World Connection did not cause its robocallers to
4 initiate millions of illegal telemarketing calls, it assisted and facilitated those
5 calls.³⁸ Paying the robocallers, accepting the “press 1” transfers, and providing the
6 transfer destination phone line all constitute substantial assistance and support to
7 telemarketers making illegal calls—without these critical inputs, the illegal
8 telemarketing operation could not function. Moreover, World Connection knew, or
9 at least consciously avoided knowing, that its robocallers were making illegal calls.
10 Indeed, the Enterprise’s entire business model was to receive “press 1” transfers for
11 prequalification, and email between World Connection employees and the
12 Enterprise’s robocallers demonstrates World Connection’s knowledge.³⁹ Thus, the
13 World Connection Enterprise, including Defaulting Defendant WC-USA, is liable
14 for assisting and facilitating the millions of illegal telemarketing calls dialed on its
15 behalf.

16 **III. Default Judgment is Appropriate**

17 The requested default judgment is appropriate because: (1) the Clerk
18 properly entered default against Defaulting Defendant WC-USA; (2) the factors
19 that the Ninth Circuit set forth in *Eitel v. McCool* weigh in favor of default
20 judgment; and (3) the requested relief is reasonable and appropriate. Because the
21 FTC does not seek monetary relief, extrinsic evidence is not required; though the
22 FTC has nonetheless submitted substantial extrinsic evidence further justifying the
23 requested injunctive relief.

25 ³⁸ It is a violation of the TSR “for a person to provide substantial assistance or
26 support to any seller or telemarketer when that person knows or consciously avoids
27 knowing that the seller or telemarketer is engaged in any act or practice that
28 violates” several other provisions of the TSR, including the three provisions
discussed above. 16 C.F.R. § 310.3(b).

³⁹ Shiller Dec. ¶¶ 10(c) & Att. I.

1 **A. The Clerk’s Entry of Default Was Proper**

2 Once it is established that a defendant has “failed to plead or otherwise
3 defend” against the complaint, the Clerk of Court must enter a default against that
4 defendant. Fed. R. Civ. P. 55(a). Here, the FTC properly served Defaulting
5 Defendant WC-USA; but WC-USA failed to respond to the Complaint within the
6 required twenty-one days (and it still has not responded).⁴⁰ Accordingly, the Clerk
7 of Court properly entered default against WC-USA.

8 **B. The Court Should Enter Default Judgment Against Defaulting
9 Defendant WC-USA**

10 After the clerk enters default against a defendant, granting default judgment
11 against that party is within the Court’s sound discretion. Fed. R. Civ. P. 55(b);
12 *Aldabe v. Aldabe*, 616 F.2d 1089, 1092 (9th Cir. 1980); *Vogel v. Rite Aid Corp.*, 992
13 F. Supp. 2d 998, 1005 (C.D. Cal. 2014).

14 This Court is well versed in Ninth Circuit’s seven factor test for determining
15 whether to grant a default judgment, set forth in *Eitel v. McCool*, 782 F.2d 1470,
16 1471–72 (9th Cir. 1986). As this Court has reiterated on numerous occasions, the
17 seven *Eitel* factors a district court may consider in exercising discretion whether to
18 grant default judgment are: (1) the possibility of prejudice to the plaintiff; (2) the
19 merits of plaintiff’s substantive claim; (3) the sufficiency of the complaint; (4) the
20 sum of money at stake in the action;⁴¹ (5) the possibility of a dispute concerning
21 material facts; (6) whether the default was due to excusable neglect; and (7) the
22 strong policy underlying the Federal Rules of Civil Procedure favoring decisions

23 _____
24 ⁴⁰ See Fed. R. Civ. P. 12(a)(1)(A)(i); Proof of Service on World Connection USA,
25 LLC via Nicholas J. Long, Registered Agent (Docket No. 18); Request for Clerk’s
26 Entry of Default as to Defendant World Connection USA, LLC (Docket No. 33);
27 and Default by Clerk (Docket No. 34).

28 ⁴¹ The fourth *Eitel* factor balances “the amount of money at stake in relation to
the seriousness of the defendant’s conduct.” *Vogel*, 992 F. Supp. 2d at 1012. The
FTC is not seeking a monetary judgment against WC-USA; only injunctive relief.
The FTC justifies this proposed injunctive relief in Section IV, below. Accordingly,
the fourth *Eitel* factor is not relevant here.

1 on the merits. *See, e.g., Ho v. SSK Inv. LLC*, No. 16-cv-629, 2016 WL 5921864, at
2 *2–4 (C.D. Cal. Sept. 14, 2016) (Carter, J.) (applying *Eitel* factors and granting
3 application for default judgment); *FTC v. A to Z Mktg., Inc.*, No. 13-cv-919, 2014
4 WL 12595332, at *3–5 (C.D. Cal. Oct. 17, 2014) (Carter, J.) (same), *aff’d sub*
5 *nom. FTC v. Bus. Team, LLC*, 654 F. App’x 288 (9th Cir. 2016) (mem.).

6 When considering the *Eitel* factors, “the factual allegations of the complaint,
7 except those relating to the amount of damages, will be taken as true.” *TeleVideo*
8 *Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917–18 (9th Cir. 1987); *Pepsico, Inc. v. Cal.*
9 *Sec. Cans*, 238 F. Supp. 2d 1172, 1175 (C.D. Cal. 2002); Fed. R. Civ. P. 8(b)(6).

10 As demonstrated below, the application of the *Eitel* factors here warrants the
11 entry of default judgment against Defaulting Defendant WC-USA.

12 **1. The First *Eitel* Factor Weighs in Favor of Entering a**
13 **Default Judgment, Because the FTC Will Suffer Prejudice if**
14 **a Default Judgment is not Entered**

15 The first *Eitel* factor considers whether the FTC will suffer prejudice if a
16 default judgment is not entered. Defaulting Defendant WC-USA has failed to
17 answer the Complaint or otherwise defend the Commission’s claims against the
18 company. Absent default judgment, the FTC “will likely be without recourse for
19 recovery.” *Vogel*, 992 F. Supp. 2d at 1007. Moreover, “[c]ourts have found that
20 government agencies, including the FTC, are prejudiced when they are forced to
21 commit time, resources, and personnel to prosecute a lawsuit against absent
22 defendants.” *A to Z Mktg.*, 2014 WL 12595332, at *3 (citing *FTC v. 1263523*
23 *Ontario, Inc.*, 205 F. Supp. 205, 208–09 (S.D.N.Y. 2002)). Here, “the FTC would
24 be prejudiced if the Court required it to continue litigating against [a] defendant[]
25 that refuse[s] to participate in the litigation.” *Id.* Accordingly, the first *Eitel* factor
26 weighs in favor of a default judgment against WC-USA.

1 **2. The Second and Third *Eitel* Factors Weigh in Favor of**
2 **Granting a Default Judgment Because the FTC Has Stated**
3 **a Claim on Which It May Recover and Produced**
4 **Substantial Evidence Supporting that Claim**

5 This Court “often consider[s] the second and third *Eitel* factors together.”
6 *Ho*, 2016 WL 5921864, at *2 (citing *PepsiCo*, 238 F. Supp. 2d at 1175) (further
7 citation omitted). “The second and third *Eitel* factors look to whether Plaintiff’s
8 complaint has sufficiently stated a claim for relief. In its analysis of the second and
9 third *Eitel* factors, the Court accepts as true all well-pleaded allegations regarding
10 liability. *Id.* (citing *Fair Hous. of Marin v. Combs*, 285 F.3d 899, 906 (9th Cir.
11 2002)).

12 The World Connection Enterprise has caused, or has at least assisted and
13 facilitated, the initiation of hundreds of millions of illegal telemarketing calls in
14 violation of the TSR. *See supra* Part II.C. These illegal calls include robocalls, calls
15 to phone numbers on the National Do-Not-Call Registry, and calls made with
16 spoofed caller IDs. *See id.* The Complaint properly states a claim against
17 Defaulting Defendant WC-USA on which the FTC may recover the requested
18 relief. *See* Compl. ¶¶ 60, 64, 67, 71, 73. Moreover, the FTC has provided
19 significant, uncontroverted evidence supporting the allegations of the Complaint.
20 *See generally* Shiller Dec.

21 **3. The Fifth *Eitel* Factor Weighs in Favor of Entering the**
22 **Default Judgment Because No Factual Disputes Exist**

23 The fifth *Eitel* factor, the possibility of a dispute concerning material facts,
24 *Vogel*, 992 F. Supp. 2d at 1012, favors entry of a default judgment as well. Upon
25 entry of default, the factual allegations of the Complaint are taken as true. *Id.* Since
26 the Commission’s factual allegations are presumed true (and are also verified by
27 undisputed evidence), and Defaulting Defendant WC-USA has failed to defend this
28 action, “no factual disputes exist that would preclude the entry of default

1 judgment.” *Id.* at 1013. Further, WC-USA is defunct and not represented by
2 counsel, so it is unable to dispute the factual allegations.

3 **4. The Sixth *Eitel* Factor Weighs in Favor of Entering Default**
4 **Judgment Because There is No Excusable Neglect**

5 The sixth *Eitel* factor considers whether the default was due to excusable
6 neglect. *Vogel*, 992 F. Supp. 2d at 1013. The FTC properly served Defaulting
7 Defendant WC-USA; it appears to have deliberately chosen not to answer. Indeed,
8 WC-USA’s CEO, Mr. Vignolo, signed a settlement agreement on behalf of his
9 other company, WC-SA (Docket No. 43), while permitting WC-USA to default.
10 And, as noted, WC-USA is defunct and not represented by counsel, so it cannot
11 presently answer the Complaint. WC-USA’s default is not due to excusable
12 neglect.

13 **5. The Seventh *Eitel* Factor Does Not Preclude Entry of**
14 **Default Judgment**

15 The seventh *Eitel* factor considers the policy that “cases should be decided
16 upon their merits whenever reasonably possible.” *Vogel*, 992 F. Supp. 2d at 1013
17 (quoting *Eitel*, 782 F.2d at 1472). “The mere enactment of Rule 55(b) indicates,
18 however, that this preference, standing alone, is not dispositive” and does not
19 preclude the entry of default judgment. *Id.* (internal quotation omitted). Here,
20 Defaulting Defendant WC-USA’s “failure to answer [the] Complaint makes a
21 decision on the merits impractical, if not impossible.” *Id.* (quoting *Pepsico*, 238 F.
22 Supp. 2d at 1177). Accordingly, entry of default judgment is appropriate.

23 **IV. The Requested Injunctive Relief Is Reasonable and Appropriate**

24 **A. A Permanent Injunction is Appropriate**

25 Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), authorizes a court to issue
26 a permanent injunction whenever a defendant violates any of the laws enforced by
27 the Commission and there is a likelihood of recurrence of such violations. *FTC v.*
28 *H.N. Singer, Inc.*, 668 F.2d 1107, 1111–13 (9th Cir. 1982); *FTC v. Evans Prods.*

1 | *Co.*, 775 F.2d 1084, 1086–88 (9th Cir. 1985); *FTC v. Pantron I Corp.*, 33 F.3d
2 | 1088, 1102 (9th Cir. 1994). To determine whether there is a likelihood of
3 | recurrence, courts may consider: (1) the deliberateness and seriousness of the
4 | present violation; (2) the defendant’s history of prior violations; and (3) the
5 | adaptability or transferability of the practice to other products. *Sears, Roebuck and*
6 | *Co. v. FTC*, 676 F.2d 385, 392 (9th Cir. 1982). “The more egregious the facts with
7 | respect to a particular element, the less important it is that another negative factor
8 | be present. In the final analysis, [courts] look to the circumstances as a whole and
9 | not to the presence or absence of any single factor.” *Id.* “The Court may deem a
10 | defendant’s ‘ready willingness to flout the law’ as ‘sufficient cause for concern
11 | regarding further, additional violations’ for which injunctive relief may be
12 | appropriate.” *FTC v. Grant Connect, LLC*, 827 F. Supp. 2d 1199, 1232 (D. Nev.
13 | 2011) (quoting *Sears, Roebuck & Co.*, 676 F.2d at 392), *aff’d in part, vacated in*
14 | *part & remanded on other grounds*, 763 F.3d 1094 (9th Cir. 2014).

15 | Here, the facts indicate that there is a likelihood of recurrence. The World
16 | Connection Enterprise, including Defaulting Defendant WC-USA, engaged in a
17 | deliberate and serious campaign to violate the TSR on a massive scale.
18 | Demonstrating its “ready willingness to flout the law,” World Connection caused
19 | or assisted and facilitated others to blast out millions of illegal robocalls per day—
20 | billions of illegal robocalls per year.⁴² World Connection’s leaders, including WC-
21 | USA’s co-founder Nick Long, have a documented history of prior telemarketing
22 | violations— in 2010, the State of Texas sued both Long and Andy Salisbury for
23 | making illegal robocalls.⁴³ And Defendants’ prior conduct shows that the corporate
24 | structure of a robocalling operation is easily transferrable—when Vignolo switched
25 | from working with Long to Salisbury, the World Connection Enterprise shifted its
26 | U.S. focus from WC-USA to WC-LLC. Now that WC-LLC is under order (Docket

27 | _____
28 | ⁴² See *supra* notes 35–36 and accompanying text.

⁴³ See *supra* notes 13–16 and accompanying text.

1 No. 50), there is potential for the Enterprise to revive WC-USA and shift its focus
2 back. Uniform injunctions against all three World Connection companies are
3 appropriate and provide the most reliable regime for ensuring that these defendants
4 illegal conduct avoid a likely recurrence.

5 **B. The Proposed Permanent Injunction is Reasonable**

6 As to the scope of injunctive relief, the FTC “is not limited to prohibiting the
7 illegal practice in the precise form in which it is found to have existed in the past.”
8 *Grant Connect*, 763 F.3d at 1105 (quoting *FTC v. Ruberoid Co.*, 343 U.S. 470, 473
9 (1952)). Rather, “those ‘caught violating’ the FTC Act ‘must expect some fencing
10 in.’” *Id.* (quoting *FTC v. Nat’l Lead Co.*, 352 U.S. 419, 431 (1957)). “Accordingly,
11 injunctive relief under the FTC Act may be framed ‘broadly enough to prevent
12 respondents from engaging in similarly illegal practices in future advertisements.’
13 The injunction will be upheld so long as it bears a ‘reasonable relation to the
14 unlawful practices found to exist.’” *Id.* (quoting *FTC v. Colgate-Palmolive Co.*,
15 380 U.S. 374, 394–95 (1965)). In some cases, the most appropriate form of fencing
16 in relief is a complete ban on certain acts or practices. Numerous courts have
17 imposed bans enjoining defendants from engaging in some or all forms of
18 telemarketing.⁴⁴

19 Here, the Proposed Default Judgment and Final Order for Permanent
20 Injunction as to Defaulting Defendant WC-USA (attached) contains the same
21 injunctive provisions as the stipulated final orders against Defendants Salisbury,
22 WC-LLC, and WC-SA (Docket Nos. 49–51). They are: (1) a permanent ban on
23 robocalls (Proposed Order § I); (2) prohibitions on abusive telemarketing
24 (Proposed Order § II); and (3) FTC-standard reporting, monitoring, and

25 _____
26 ⁴⁴ See, e.g., *FTC v. John Beck Amazing Profits LLC*, 888 F. Supp. 2d 1006, 1013–
27 1015 (C.D. Cal. 2012) (ban on telemarketing and production or dissemination of
28 any infomercial); *FTC v. INC21.com Corp.*, 745 F. Supp. 2d 975, 1010 (N.D. Cal.
2010) (ban on telemarketing and billing customers by placing charges on telephone
bills).

1 recordkeeping requirements (Proposed Order §§ III to VII). Banning WC-USA
2 from engaging in robocalling and prohibiting it from engaging in other abusive
3 telemarketing practices bears a “reasonable relation to [WC-USA’s] unlawful
4 practices.” *Grant Connect, LLC*, 763 F.3d at 1105. The reasonableness of the
5 proposed ban on robocalls and prohibition on abusive telemarketing is underscored
6 by the fact that the other three defendants within the World Connection Enterprise
7 all agreed to those injunctions to settle this case with the FTC. The reporting,
8 monitoring, and recordkeeping requirements set forth in the Proposed Order will
9 help ensure WC-USA’s compliance with the injunctive provisions of the order. *See,*
10 *e.g., FTC v. Hope for Car Owners, LLC*, No. 2:12-cv-778, 2013 WL 322895, at *5
11 (E.D. Cal. Jan. 24, 2013) (finding monitoring and recordkeeping provisions
12 appropriate in default judgment). The proposed reporting, monitoring, and
13 recordkeeping requirements are identical to those entered by this Court while
14 entering a default judgment in a related case.⁴⁵ The Proposed Order is reasonable
15 and will most effectively prevent Defendants from any further use of WC-USA as a
16 corporate front for their illegal telemarketing activities.

17 **V. Conclusion**

18 For the reasons set forth above, the FTC respectfully requests that the Court
19 enter the attached Proposed Order against Defendant World Connection USA,
20 LLC.
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27

28 ⁴⁵ *See* Entry of Default Judgment and Final Order for Permanent Injunction at 5-9,
FTC v. Jones, No. 8:17-cv-58 (C.D. Cal. May 31, 2017) (Carter, J.), ECF No. 88.

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Respectfully submitted,

Alden F. Abbott
General Counsel

Dated: December 27, 2018

/s/ James Evans

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CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2018, I electronically filed the foregoing Notice of Application and Application for Default Judgment and Permanent Injunction Against Defendant World Connection USA, LLC with the Clerk of the Court using CM/ECF. And I hereby certify that I will cause the foregoing to be served by CM/ECF or PDF email attachment (with consent) on the following:*

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/s/ James Evans
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* Defaulted Defendant World Connection USA, LLC will not be served. See Default by Clerk (Docket No. 34); Fed. R. Civ. P. 5(a)(2). Settling Defendants Andrew Salisbury, World Connection, LLC, and World Connection, S.A. will also not be served because they have resolved the claims against them. See Stipulated Final Orders (Docket Nos. 49–51).

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17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 **Federal Trade Commission,**

20 Plaintiff,

21 vs.

22 **James Christiano, et al.,**

23 Defendants.

No. 8:18-cv-00936 DOC (AGR_x)

**Declaration of Diana F. Shiller in
Support of Plaintiff FTC's
Application for Default Judgment
and Permanent Injunction Against
Defendant World Connection USA,
LLC**

Pursuant to 28 U.S.C. § 1746

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25
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27
28

DECLARATION OF DIANA F. SHILLER

I, Diana F. Shiller, have personal knowledge of the facts and matters set forth below. If called as a witness, I could and would testify as follows:

1. I am over twenty-one years old and a United States citizen. I work as an investigator for the Federal Trade Commission (“FTC”) in the Bureau of Consumer Protection’s Division of Marketing Practices. I investigate persons and entities that may be violating the FTC Act and other laws enforced by the FTC. My work address is 600 Pennsylvania Avenue NW, CC-8528, Washington, DC 20580.

2. As part of my work, I have investigated the defendants in the above-captioned law enforcement action.

3. According to the California Secretary of State’s records, Nicholas J. Long formed World Connection USA, LLC (“WC-USA”) as a California limited liability company in May 2012. According to a Statement of Information form filed with the Secretary of State on June 1, 2012, Long is the registered agent and a member or manager of WC-USA, and Vignolo is the Chief Executive Officer (CEO). Vignolo signed the form as WC-USA’s CEO. A true and correct copy of the California Secretary of State records pertaining to WC-USA is attached as **Attachment A**.

4. According to the California Secretary of State’s website, World Connection USA, LLC has not been dissolved; but it has been suspended by the Secretary of State and the Franchise Tax Board. A true and correct partial copy of the Secretary of State’s Entity Detail webpage showing this status as of the date of this Declaration is attached as **Attachment B**.

5. On the “Company Overview” webpage of World Connection’s website, World Connection describes itself as “a mid-sized, bi-lingual contact center and BPO with locations in Guatemala City, Guatemala and Boise, Idaho.” A true and correct copy of this webpage as of the date of this Declaration is attached as **Attachment C**.

1 6. I have reviewed the FTC Financial Statement of Corporate Defendant
2 for World Connection, S.A. (“WCSA”) signed by Hugo Vignolo, CEO, on June 21,
3 2018. On that form, WCSA reports that:

- 4 a) State and Date Incorporated: Guatemala, November 2011; and
- 5 b) Principal Stockholders: Hugo Vignolo and Roberto Herrera,
6 who are based in Guatemala.

7 7. On or about February 23, 2018, IP Communications LLC produced
8 records to the FTC pursuant to a Civil Investigative Demand issued January 25,
9 2018. One spreadsheet titled FTC_MatterNo1623124 Additional Numbers.xlsx, in
10 IP Communications’ production, lists the 414 phone numbers that the company has
11 assigned to World Connection. This spreadsheet indicates that the phone number
12 (925) 475-4723 was assigned to World Connection on November 21, 2013.

13 Another spreadsheet titled Response to Subpoena Matter No.1623124.xlsx, in the
14 production, under Billing Information, shows that (925) 475-4723 and other phone
15 numbers are using credit cards in the names of: World Connection, World
16 Connection S.A., Hugo Vignolo, and Edson Corzantes, who is also listed as the
17 contact person for World Connection. True and partial redacted copies of IP
18 Communications LLC’s spreadsheets are attached as composite **Attachment D**.

19 8. On or about December 15, 2015, Bank of America produced records
20 to the FTC pursuant to a Civil Investigative Demand issued November 12, 2015. I
21 have a reviewed a spreadsheet in Bank of America’s December 15, 2015
22 production that lists wire transfers sent to or from several bank accounts, including
23 an account in the name of Prime Marketing LLC, which is a company belonging to
24 Justin Ramsey. The Bank of America spreadsheet shows that Prime Marketing
25 received wire transfers totaling \$218,621.08 from an account in the name of World
26 Connection, S.A. at Banco Industrial in Guatemala. World Connection wired these
27 funds via 25 wire transfers between October 2014 and June 2015. A true and
28

1 correct summary of these wire transfers is attached as **Attachment E**. This
2 summary was Exhibit 18 at the May 18, 2017 deposition of Justin Ramsey.

3 9. On or about February 2, 2016, Bank of America produced records to
4 the FTC pursuant to a subpoena issued January 12, 2016. I have reviewed a
5 spreadsheet in Bank of America's February 2, 2016 production that lists wire
6 transfers sent to or from several bank accounts, including an account in the name
7 of Alliance Security Inc. The spreadsheet shows that Alliance Security sent wire
8 transfers totaling \$1,703,700 to an account in the name of World Connection, S.A.
9 at Banco Industrial in Guatemala. Alliance Security wired these funds via 86 wire
10 transfers between April 2014 and November 2015. A true and correct redacted
11 summary of these wire transfers is attached as **Attachment F**. This summary was
12 Exhibit 223 at the July 20, 2016 investigational hearing of Andrew Salisbury.

13 10. On or about August 15, 2016, Local Lighthouse Corp. and Richard
14 Paik produced records to the FTC pursuant to a Civil Investigative Demand issued
15 June 26, 2015.

16 a) Among those records was an email message, bates stamped
17 P&O0000275, sent on June 16, 2014 by "Houston Lewis" to
18 Hugo Vignolo and others with the subject "Campaign[.]" The
19 message's attachment, bates stamped P&O0000276, was named
20 "Warranty Script123.docx[.]" A true and correct copy of this
21 email message and its attachment is attached as **Attachment G**.

22 b) Also, among those records was an email message, bates
23 stamped P&O0000493, sent on March 5, 2014 by Mihai
24 Marinescu, to Mike Jones, copying Elisa Henry and Jamie
25 Christiano, with the subject "Customer#: 32629 and 32841".
26 The message's attachment, bates stamped P&O0000494, was
27 named "dst_2_customers_comparison.csv." A true and correct
28 copy of this email message and its attachment is attached as

1 **Attachment H.** The attachment “dst_2_customers_comparison.csv”
2 is a spreadsheet showing TelWeb dialing records for the
3 customer “WConnect.”

4 i) The “dst_2_customers_comparison.csv” spreadsheet
5 shows that on September 13, 2013, a total of 3,778,502
6 robocalls were initiated for the TelWeb customer
7 WConnect (see the column labeled “total”), of which
8 588,796 were connected (see the column labeled
9 “total_lives”); of those that were connected, 5,019
10 resulted in a consumer pressing “1” for more information
11 (see the column labeled “total_agents”).*

12 ii) The spreadsheet also shows that from September 14,
13 2013 through March 4, 2014, more than 782 million
14 robocalls were initiated for the TelWeb customer
15 WConnect, of which more than 115 million were
16 connected; of those that were connected, about 946,000
17 resulted in consumers pressing “1” for more information
18 and being connected to a World Connection sales agent*.

19 c) Also among the records produced by Local Lighthouse Corp.
20 and Richard Paik were numerous email messages to and from
21 World Connection employees discussing telemarketing
22 campaigns. True and correct copies of eight examples of such
23 email messages (not including attachments), bates stamped
24 P&O0000225, P&O0000267, P&O0000282, P&O0000288,
25 P&O0000295, P&O0000309, P&O0000412, and P&O0001084,
26 are attached as composite **Attachment I.**

27
28 * Counting only those records with a “campaign_name” field containing either
“World_Con_New” or “World_Con_New-2.”

1 11. On or about August 20, 2015, NetDotSolutions, Inc. produced records
 2 to the FTC pursuant to a Civil Investigative Demand issued June 26, 2015. Among
 3 those records was an email message, bates stamped NDS0005068, sent by Tracie
 4 Connor to ray@savilo.com with the subject “spoof ANI must be removed asap” on
 5 September 13, 2013 at 3:04 pm. A true and correct copy of that email message is
 6 attached as **Attachment J**.

7 12. On or about February 10, 2017, NetDotSolutions, Inc. produced
 8 records to the FTC pursuant to a Civil Investigative Demand issued January 10,
 9 2017. Among those records were call records for June 2015 through May 2016. I
 10 have reviewed the call records for April 8, 2016 (VINC000312.csv)—the date
 11 Justin Trent received a robocall pitching a home security system. *See generally*
 12 Trent Dec. The call records show that after Mr. Trent pressed “1,” his call was
 13 transferred to World Connection at (925) 475-4723. *See supra* paragraph 7. The
 14 two relevant call records are summarized below. A true and correct redacted copy
 15 of NetDotSolutions’ explanation of the call record fields is attached as **Attachment**
 16 **K**.

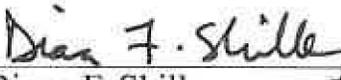
Call Record Field	Robocall to Trent	Trent Call Transfer
cdr_date_start	4/8/2016 8:31	4/8/2016 8:31
cdr_date_end	4/8/2016 8:48	4/8/2016 8:48
cdr_tn1 [call to #]	18047754728 [Trent’s number]	19254754723
cdr_tn2 [caller ID #]	18047754856	18047754728 [Trent’s number]
cdr_call_time	1078487 [milliseconds]	1030522 [milliseconds]
cdr_connect_time	1073 [seconds]	1027 [seconds]
cdr_connect_time_bill	17.9 [minutes]	17.2 [minutes]
cdr_termination_code	200 [successful response; ok]	10001
cdr_amount	1.1635	1.118
cdr_intrastate	1	0
cdr_trunkgroup_id	\N	\N
cdr_ext_call_id	d898ca95-aa06-498f-b6f6-89887fb543d0	2cac14cc-9cb2-4078-856a-200496216d09
cdr_ext_call_id_src	\N	d898ca95-aa06-498f-b6f6-89887fb543d0

1	cdr_type	0 [outbound]	0 [outbound]
2	cdr_ported_phone_no	18042059999	\N

3 13. I have reviewed consumer complaints in the Federal Trade
4 Commission's Consumer Sentinel complaint database. On September 13, 2013,
5 twenty-three complaints were filed regarding unwanted calls from the phone
6 number (347) 775-2743. This is the phone number mentioned in the email
7 discussed in paragraph 11, and attached as Attachment J. Many of those
8 complaints indicate that consumers received robocalls pitching a home security
9 system. A true and redacted copy of these complaints is attached as Attachment L.

10
11 I declare under penalty of perjury that the foregoing is true and correct.

12
13
14 Dated: December 26, 2018
15 Washington, D.C.

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Diana F. Shiller

201214610034



State of California Secretary of State

LLC-1 File #

Limited Liability Company Articles of Organization

FILED In the Office of the Secretary of State of the State of California

MAY 24 2012

A \$70.00 filing fee must accompany this form.

Important - Read instructions before completing this form.

This Space For Filing Use Only

Entity Name (End the name with the words "Limited Liability Company," or the abbreviations "LLC" or "L.L.C." The words "Limited" and "Company" may be abbreviated to "Ltd." and "Co.," respectively.)

1. NAME OF LIMITED LIABILITY COMPANY World Connection USA, LLC

Purpose (The following statement is required by statute and should not be altered.)

2. THE PURPOSE OF THE LIMITED LIABILITY COMPANY IS TO ENGAGE IN ANY LAWFUL ACT OR ACTIVITY FOR WHICH A LIMITED LIABILITY COMPANY MAY BE ORGANIZED UNDER THE BEVERLY-KILLEA LIMITED LIABILITY COMPANY ACT.

Initial Agent for Service of Process (If the agent is an individual, the agent must reside in California and both Items 3 and 4 must be completed. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 3 must be completed (leave Item 4 blank).)

3. NAME OF INITIAL AGENT FOR SERVICE OF PROCESS Nicholas J. Long

4. IF AN INDIVIDUAL, ADDRESS OF INITIAL AGENT FOR SERVICE OF PROCESS IN CALIFORNIA CITY STATE ZIP CODE Chino Hills CA

Management (Check only one)

5. THE LIMITED LIABILITY COMPANY WILL BE MANAGED BY:

- ONE MANAGER
MORE THAN ONE MANAGER
ALL LIMITED LIABILITY COMPANY MEMBER(S)

Additional Information

6. ADDITIONAL INFORMATION SET FORTH ON THE ATTACHED PAGES, IF ANY, IS INCORPORATED HEREIN BY THIS REFERENCE AND MADE A PART OF THIS CERTIFICATE.

Execution

7. I DECLARE I AM THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED.

May 22, 2012 DATE

SIGNATURE OF ORGANIZER

Nicholas J. Long

TYPE OR PRINT NAME OF ORGANIZER

LLC-1 (REV 04/2010)

APPROVED BY SECRETARY OF STATE

Clear Form

Print Form

Exhibit DJ 1, Att. A Shiller Dec.



STATE OF CALIFORNIA
DEPARTMENT OF THE TREASURY
OFFICE OF THE STATE COMPTROLLER

STATE OF CALIFORNIA
DEPARTMENT OF THE TREASURY
OFFICE OF THE STATE COMPTROLLER

[Faint, mostly illegible text from a document transcript, possibly a ledger or report, with some faint headers and columns visible.]



I hereby certify that the foregoing transcript of 1 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

FEB 05 2016

Date: _____ *CPG*

Alex Padilla
ALEX PADILLA, Secretary of State

Exhibit DJ 1, Att. A
Shiller Dec.



**State of California
Secretary of State**

L

**STATEMENT OF INFORMATION
(Limited Liability Company)**

41

Filing Fee \$20.00. If this is an amendment, see instructions.

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. LIMITED LIABILITY COMPANY NAME

World Connection USA, LLC

FILED
in the office of the Secretary of State
of the State of California

JUN 01 2012

[Signature]
This Space For Filing Use Only

File Number and State or Place of Organization

2. SECRETARY OF STATE FILE NUMBER
201214610034

3. STATE OR PLACE OF ORGANIZATION (If formed outside of California)
N/A

No Change Statement

4. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.

If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 15.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 5 and 7 cannot be P.O. Boxes.)

	CITY	STATE	ZIP CODE
5. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 15941 Red Hill, Suite 210	Tustin, CA	CA	92780
6. MAILING ADDRESS OF LLC, IF DIFFERENT THAN ITEM 5 N/A	N/A	N/A	N/A
7. CALIFORNIA OFFICE WHERE RECORDS ARE MAINTAINED (DOMESTIC ONLY) 15941 Red Hill Suite 210	Tustin	CA	92780

Name and Complete Address of the Chief Executive Officer, if Any

8. NAME	ADDRESS	CITY	STATE	ZIP CODE
Hugo Vignolo	15941 Red Hill, Suite 210	Tustin, CA	CA	92780

Name and Complete Address of Any Manager or Managers, or if None Have Been Appointed or Elected, Provide the Name and Address of Each Member (Attach additional pages, if necessary.)

9. NAME	ADDRESS	CITY	STATE	ZIP CODE
Nicholas J. Long	15941 Red Hill, Suite 210	Tustin, CA	CA	92780
10. NAME	ADDRESS	CITY	STATE	ZIP CODE
11. NAME	ADDRESS	CITY	STATE	ZIP CODE

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 13 must be completed with a California address, a P.O. Box is not acceptable. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 13 must be left blank.

12. NAME OF AGENT FOR SERVICE OF PROCESS Nicholas J. Long				
13. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE	
[Redacted]	Chino Hills	CA	[Redacted]	

Type of Business

14. DESCRIBE THE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY
Internet business marketing

15. THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

May 29, 2012 Hugo Vignolo CEO *[Signature]*
DATE TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM TITLE SIGNATURE

LLC-12 (REV 01/2012)

APPROVED BY SECRETARY OF STATE

Clear Form Print Form

Exhibit DJ 1, Att. A
Shiller Dec.

CPG
Date: _____
CPG

I hereby certify that the foregoing transcript of _____ page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.



I hereby certify that the foregoing transcript of _____ page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

FEB 05 2016

Date: _____ CPG

Alex Padilla

ALEX PADILLA, Secretary of State

Exhibit DJ 1, Att. A
Shiller Dec.

← → ↻ 🏠 <https://businesssearch.sos.ca.gov/CBS/SearchResults?SearchType=LPLLC&SearchCriteria=world+connection+usa&SearchSubType=Keyword> 🌐 ☆ 📄 🔍 👤

[Skip to Main Content](#) | [Skip to Footer](#)



Alex Padilla

California Secretary of State



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Business Entities (BE)

- Online Services
- File LLC Statement of Information
- File Corporation Statement of Information
- Business Search
- Current Processing Dates
- Disclosure Search
- Service Options
- Name Availability
- Forms, Samples & Fees
- Statements of Information (annual/biennial reports)
- Filing Tips
- Information Requests (certificates, copies & status reports)
- Service of Process
- FAQs

🔍 Business Search - Results

The California Business Search is updated daily and reflects work processed through Tuesday, December 11, 2018. Please refer to document [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

- Select an entity name below to view additional information. Results are listed alphabetically in ascending order by entity name, or you can select a column title to change the sort order.
- To refine the search results, enter a word or a string of words in the "Narrow search results" box. The "Narrow search results" will search on all fields of the initial search results.
- For information on checking or reserving a name, refer to [Name Availability](#).
- For information on requesting a more extensive search, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
- For descriptions of the various fields and status types, refer to [Frequently Asked Questions](#).

Results of search for LP/LLC Name keyword "world connection usa" returned 1 entity record (out of 1 record found).

Show entities per page Narrow search results:

Entity Number	Registration Date	Status	Entity Name	Jurisdiction	Agent for Service of Process
201214610034	05/24/2012	SOS/FTB SUSPENDED	WORLD CONNECTION USA, LLC	CALIFORNIA	NICHOLAS J LONG

Showing 1 to 1 of 1 entities

http://www.wconnection.net/company-overview.html

World Connection

HOME ABOUT US SERVICES CAREERS CONTACT US

f
t
in

Home
Company Overview

Company Overview

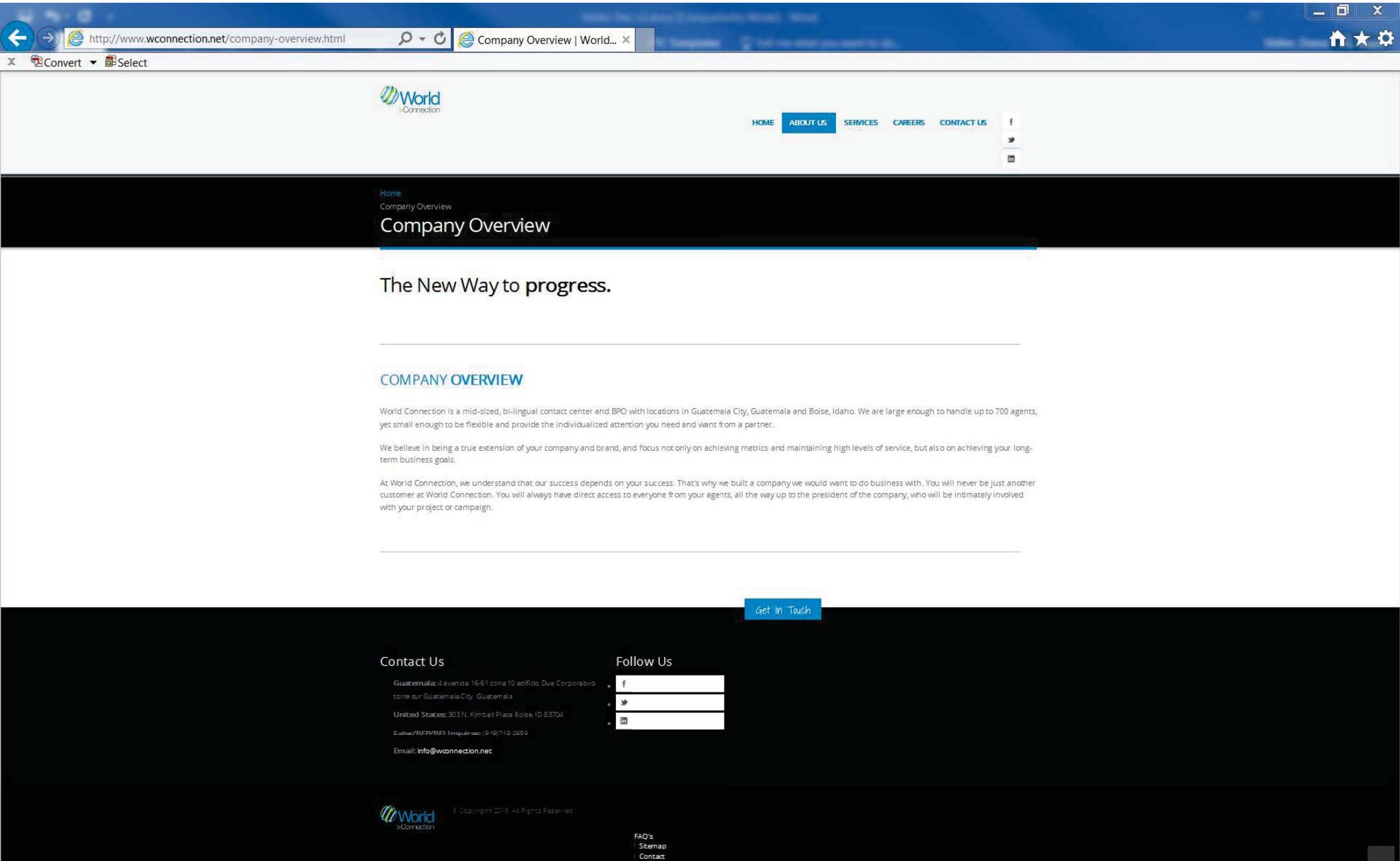
The New Way to succeed.

COMPANY OVERVIEW

World Connection is a mid-sized, bi-lingual contact center and BPO with locations in Guatemala City, Guatemala and Boise, Idaho. We are large enough to handle up to 700 agents, yet small enough to be flexible and provide the individualized attention you need and want from a partner.

We believe in being a true extension of your company and brand, and focus not only on achieving metrics and maintaining high levels of service, but also on achieving your long-term business goals.

At World Connection, we understand that our success depends on your success. That's why we built a company we would want to do business with. You will never be just another customer at World Connection. You will always have direct access to everyone from your agents, all the way up to the president of the company, who will be intimately involved with your project or campaign.



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7864757002	08-Dec-15
7864757043	08-Dec-15
7864758838	08-Dec-15

Number	DateAssignedCust
7864758839	08-Dec-15
7864758853	08-Dec-15
7864758865	08-Dec-15
7864758886	08-Dec-15
7864758917	08-Dec-15
7864758919	08-Dec-15
7864758936	08-Dec-15
7864840592	08-Dec-15
7864840936	08-Dec-15
7864840942	08-Dec-15
7864840963	08-Dec-15
7864840968	08-Dec-15
7865029139	08-Dec-15
7865029182	08-Dec-15
7865029199	08-Dec-15
7865029306	08-Dec-15
7865029334	08-Dec-15
7865030817	08-Dec-15
7865030851	08-Dec-15
7865030857	08-Dec-15
7865030868	08-Dec-15
7865030871	08-Dec-15
7865030981	08-Dec-15
2089962179	08-Aug-17
3055908209	12-Oct-17
7864728685	12-Oct-17
7864728719	12-Oct-17
7865229520	12-Oct-17
7865229521	12-Oct-17
7865229522	12-Oct-17
7865229523	12-Oct-17
7865229524	12-Oct-17
7865229525	12-Oct-17
7865229526	12-Oct-17
7865229527	12-Oct-17
7865229528	12-Oct-17
7865229529	12-Oct-17
3052606504	12-Oct-17
3052606523	12-Oct-17
3052606975	12-Oct-17
3055074351	12-Oct-17
3055074760	12-Oct-17
3055908215	12-Oct-17
7864728389	12-Oct-17
7864728708	12-Oct-17
7865229508	12-Oct-17

Type of Card: American Express
Name on Card: HUGO VIGNOLO
Credit Card Number: [REDACTED] 1-595
Expiration: [REDACTED]
CVV Code: [REDACTED]
Billing Address: 4 AVENIDA 16-61 ZONA 10
Billing Address 2: 4 AVENIDA 16-61 ZONA 10
Billing Country: Guatemala
Billing State: 4 AVENIDA 16-61 ZONA 10
Billing City: 4 AVENIDA 16-61 ZONA 10
Billing Zip: 1010
Auto Pay Enabled: No

Type of Card: Master Card
Name on Card: EDSON CORZANTES MAYEN
Credit Card Number: [REDACTED] -4020
Expiration: [REDACTED]
CVV Code: [REDACTED]
Billing Address: 16 calle 7-27 zona 9
Billing Address 2: Guatemala
Billing Country: Guatemala
Billing State: Guatemala
Billing City: Guatemala
Billing Zip: 1009

World Connection Transfers to Prime Marketing -- Oct. 2014 to June 2015 -- Total: \$218,621.08

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<u>PAYMENT TYP</u>	<u>TRANSACTION DA</u>	<u>SD AMOUNT</u>	<u>ORIGINATOR NAME</u>	<u>ORIGINATOR NAME LINE234</u>	<u>SENDER BANK NAM</u>
INCOMING	6/24/2015	590.58	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	6/4/2015	2,704.20	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	5/20/2015	2,018.00	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	5/12/2015	3,627.76	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	4/22/2015	6,848.44	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	4/6/2015	7,639.82	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	3/25/2015	15,502.38	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	3/18/2015	6,762.42	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	3/11/2015	19,902.64	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	3/4/2015	3,109.28	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	2/25/2015	4,025.00	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	2/18/2015	10,362.80	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	2/11/2015	9,825.32	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	1/29/2015	14,763.20	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	1/21/2015	3,990.98	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	1/14/2015	10,331.46	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	1/7/2015	4,929.88	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	12/24/2014	4,391.10	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	12/17/2014	7,228.80	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	12/10/2014	16,568.42	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	11/26/2014	9,718.04	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	11/18/2014	9,736.36	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	11/12/2014	20,380.30	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	11/5/2014	11,139.90	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
INCOMING	10/29/2014	12,524.00	WORLD CONNECTION SOCIEDAD	16 CALLE 7-27 Z. 09 GUATEM,	BANCO INDUSTRIAL
		218,621.08			

Exhibit DJ 1, Att. E
Shiller Dec.

Date Range: 4/7/2014 through 11/16/2015

Total: \$1,703,700.00

PAYMENT TY	TRANSACTION DATE	USD AMOUNT	DEBIT ID NAME	CREDIT ID NAME	BENEFICIARY ID	BENEFICIARY NAME	BENEFICIARY NAME LINE234
OUTGOING	4/7/2014	52,000.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	4/14/2014	52,000.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	4/21/2014	52,000.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	4/28/2014	52,000.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	5/5/2014	52,000.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	5/12/2014	52,000.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	5/19/2014	52,000.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	5/27/2014	41,400.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	6/3/2014	41,600.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	6/9/2014	46,800.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	6/16/2014	51,600.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	6/23/2014	44,600.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	6/30/2014	33,600.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	7/7/2014	30,175.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	7/14/2014	25,175.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	7/21/2014	29,375.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	7/28/2014	26,375.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	8/4/2014	28,375.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	8/11/2014	21,575.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	8/18/2014	31,175.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	8/25/2014	26,975.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	9/2/2014	21,575.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	9/8/2014	20,375.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	9/15/2014	21,575.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	9/22/2014	7,775.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	9/29/2014	9,575.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	10/6/2014	25,775.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	4149	WORLD CONNECTION S.A.	16 CALLE 7-27 ZONA 9GUATEMALA, GT
OUTGOING	10/15/2014	18,175.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	10/20/2014	25,175.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	10/27/2014	17,975.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	11/3/2014	16,775.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	11/10/2014	24,575.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	11/17/2014	16,775.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	11/24/2014	16,775.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	12/1/2014	5,375.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	12/8/2014	22,175.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	12/15/2014	14,375.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	12/22/2014	10,775.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	12/29/2014	2,375.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	1/5/2015	8,375.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	1/13/2015	17,375.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	1/20/2015	9,560.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	1/27/2015	21,560.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	2/3/2015	7,160.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	2/10/2015	15,560.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	2/17/2015	12,560.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	2/23/2015	16,760.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	3/2/2015	10,160.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	3/9/2015	26,960.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	3/16/2015	14,960.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	3/23/2015	25,160.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT
OUTGOING	3/30/2015	17,360.00	ALLIANCE SECURITY INC	BANCO INDUSTRIAL	414-9	WORLD CONNECTION, S.A.	7MA. AV. 5-10 ZONA 4GUATEMALAGUATEMALA GT

Exhibit DJ-1, Att. F
Shiller Dec

To: Hugo Vignolo[hugo@wconnection.net]; Esteban Morales[esteban@wconnection.net]; Jose Valiente[jvaliente@wconnection.net]; Herbert Carranza[hcarranza@wconnection.net]; asalisbury@wconnection.net[asalisbury@wconnection.net]; Justin Ramsey[jramsey9799@gmail.com]; Mike Jones[mikej@savilo.com]
From: Houston Lewis
Sent: Mon 6/16/2014 8:07:40 PM
Importance: Normal
Subject: Campaign
MAIL_RECEIVED: Mon 6/16/2014 8:07:42 PM
[Warranty Script123.docx](#)

Hello Everyone,

We have been running this campaign for a couple weeks now and are getting close to perfecting it. We all need to work together and hard on this to make it work.

Attached is the script we would like you to use tomorrow. It is similar to the one used today but more in line with the call that happens before you get the call.

It is imperative that you follow the script exactly. I mean exactly, do not deviate from it. If the customer asks questions, please answer accordingly. The reps you have on it should be ok with doing that.

Also, the reps may not tell the customer they are transferring to a BUICK rep, or a FORD rep...just tell them they are transferring them to the vehicle specialist.

And lastly, accents, accents, accents! There were 8 reps on this campaign today, I am not sure if we need all 8. I heard at least 3 different reps with bad accents. Jose/Herbert, can you please listen to calls right away and figure out who is good to be on campaign and not. We need to make this work before we throw on more representatives that are not trained. Also, please have your QA listen to the calls and make sure the script is being followed exactly. If it is not, take them off the campaign immediately and coach them.

We are close guys....

Thank you,

E

Exhibit DJ 1, Att. G
Shiller Dec.

P&O0000275-01

SWEEPER PREDICTIVE

Hello, this is (CCR Name) with Auto Care Services, how are you today?

The reason for the call is that your vehicle may still qualify for warranty protection. I just need some basic information to see if you can you're your vehicle protected today:

1. What is your first and last name _____? (or verify the name if it was populated)
2. Have you purchased a warranty for your vehicle in the last 12 months?
3. And what is the year make and model of your vehicle? Must be 2003-2012!
4. Excellent and what is the current approximate mileage on the vehicle _____? Must be 25K-150K
5. Great and what is your zip code? (If multiple cities, ask which city is correct)
6. And is everything working on the car... no check engine or service lights on? MUST NOT HAVE ANY LIGHTS ON

Ok, (customer name), we do require a method of payment such as a credit card or bank account since there is a small monthly fee for the service. I don't need any of your information, just a simple yes or no will be fine.

MUST SAY YES!

Ok (customer name), I just want to verify you have time now to speak with a specialist about extending the warranty on your vehicle?

MUST SAY YES!

Exhibit DJ 1, Att. G
Shiller Dec.

P&O0000276-01

Ok, (Customer Name), thank you for that information. Please give me one moment while I bring the specialist on the line with us!

Hand Off

Hello this is (name) with auto care services. I have (customer name) on the line with us. His/her file number is () and he/she is interested in extending the service plan.

(Customer name), I have (specialist name) on the line and he/she is our service contract specialist and he/she is going to take excellent care of you. Go ahead (specialist name) thank you and have a great day.

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Cc: [Elisa Henry\[Elisa.Henry@360utpoint.com\]](mailto:Elisa.Henry@360utpoint.com), [Jaime Cristiano\[Jaime.Christiano@jamescristiano.com\]](mailto:Jaime.Christiano@jamescristiano.com)
To: Mike Jones[mikej@savilo.com]
From: Mihai Marinescu
Sent: Wed 3/5/2014 11:54:45 PM
Subject: Customer#: 32629 and 32841
[dst_2_customers_comparison.csv](#)

Mike,

Attached please see the stats for those 2 customers

Exhibit DJ 1, Att. H
Shiller Dec.

P&O0000493

cas_date	customer_tree	campaign_name	schedule_id	vox_name	minutes	total_agents	total_lives	total	lv_perc	mins_per_live	mins_per_live
8/26/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3915235	347467	201740.7	2819	249294	1614875	0.1544	71.56463	0.80925
8/27/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3916169	347467	253897.2	3432	319314	2015022	0.1585	73.97937	0.79513
8/28/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3917121	347467	273233.1	3090	336442	2175046	0.1547	88.42495	0.81213
8/29/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3918101	347467	261373.9	3203	321317	2090376	0.1537	81.60284	0.81345
8/30/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3919081	347467	216637.6	2364	267077	1747374	0.1528	91.64027	0.81114
9/3/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3921693	347467	247952.1	2724	304632	2034646	0.1497	91.025	0.81394
9/4/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3922701	347467	232548.2	2759	284594	1907466	0.1492	84.28713	0.81712
9/5/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3923767	347467	261794.4	3580	323646	2215009	0.1461	73.12693	0.80889
9/6/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3924807	347467	317436.8	3421	393162	2603175	0.151	92.79065	0.80739
9/9/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3927189	347467	368227.2	4583	460327	3000000	0.1534	80.34632	0.79993
9/10/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3928253	347467	463241.2	5465	570477	3732757	0.1528	84.76509	0.81202
9/11/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3929355	347467	485883.5	5457	604077	3959420	0.1526	89.03857	0.80434
9/12/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3930463	347467	439441.5	5619	559515	3393171	0.1649	78.20635	0.7854
9/13/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3931463	347467	466028.8	5019	588796	3778502	0.1558	92.85292	0.79149
9/16/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3933797	347467	518419.6	5665	651760	4335444	0.1503	91.51273	0.79541
9/17/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3934811	347467	560590.8	6226	686061	4531081	0.1514	90.04028	0.81712
9/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3935827	347467	461546.5	6026	576181	3647231	0.158	76.59252	0.80104
9/19/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3936835	347467	452474.4	5479	576031	3674077	0.1568	82.58339	0.7855
9/20/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3937831	347467	563223.8	5857	713105	4641805	0.1536	96.16251	0.78982
9/23/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3940307	347467	620775.7	6756	785417	5000000	0.1571	91.88509	0.79038
9/24/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3941319	347467	627281.4	8244	786847	4999995	0.1574	76.08945	0.79721
9/25/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3942335	347467	620517.2	7434	790185	5000000	0.158	83.47016	0.78528
9/26/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3943295	347467	616081.5	6447	785118	5000000	0.157	95.56096	0.7847
9/27/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3944235	347467	582002.6	6035	736034	4967079	0.1482	96.43788	0.79073

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9/30/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3946607	347467	563783.5	6216	722004	5000000	0.1444	90.69876	0.78086
10/1/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3947609	347467	599916.6	6905	751935	4874711	0.1543	86.88148	0.79783
10/2/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3948645	347467	597953.5	6135	749976	4999997	0.15	97.46593	0.7973
10/3/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3949689	347467	605502.6	7377	753362	5000000	0.1507	82.07979	0.80373
10/4/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3951613	347467	465338	4990	578218	4004940	0.1444	93.25411	0.80478
10/4/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3950737	347467	103727.2	1010	124367	905043	0.1374	102.7002	0.83404
10/7/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3953243	347467	620631.8	7262	766687	5262293	0.1457	85.46293	0.8095
10/8/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3954271	347467	728875.1	9464	912483	6143202	0.1485	77.01554	0.79878
10/8/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3954325	347467	662.2	5	866	5679	0.1525	132.44	0.76467
10/9/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3955389	347467	739659.1	8458	917439	6221439	0.1475	87.45083	0.80622
10/10/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3956445	347467	744533.6	8621	930911	6332580	0.147	86.36279	0.79979
10/11/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3958273	347467	131100.2	1329	164904	1122777	0.1469	98.64575	0.79501
10/11/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3957465	347467	129624	1374	163026	1086756	0.15	94.34061	0.79511
10/14/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3959915	347467	237356.9	2414	294362	2106409	0.1397	98.32514	0.80634
10/14/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3960891	347467	156932	1481	195701	1419225	0.1379	105.9635	0.8019
10/14/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3959993	347467	203170.2	1853	248480	1905077	0.1304	109.6439	0.81765
10/14/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3960897	347467	146699.2	1412	182203	1229183	0.1482	103.8946	0.80514
10/15/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3961777	347467	450145.8	4187	552727	3808329	0.1451	107.5103	0.81441
10/15/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3960951	347467	224783.6	2516	282979	1879904	0.1505	89.34165	0.79435
10/16/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3962805	347467	197237.4	1944	250595	1704260	0.147	101.4596	0.78708
10/16/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3962007	347467	759058.5	8061	947454	6557754	0.1445	94.16431	0.80116
10/17/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3963831	347467	491088.6	6121	624926	3825466	0.1634	80.23013	0.78583
10/17/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3963053	347467	478909.5	5582	595272	3927674	0.1516	85.79532	0.80452
10/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3964839	347467	106284.5	1079	131457	910442	0.1444	98.50278	0.80851

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10/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3964109	347467	113633.4	965	141824	984414	0.1441	117.7548	0.80123
10/21/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3966587	347467	380823.6	4910	480648	3138148	0.1532	77.56081	0.79231
10/21/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3966641	347467	375434.4	4513	468480	3135871	0.1494	83.18954	0.80139
10/22/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3967631	347467	437633.8	4957	544441	3615302	0.1506	88.28602	0.80382
10/22/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3967585	347467	429153.1	5006	539599	3486083	0.1548	85.72775	0.79532
10/23/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3968609	347467	304053.1	3839	389203	2397125	0.1624	79.20112	0.78122
10/23/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3968651	347467	310037	3850	393125	2443917	0.1609	80.52909	0.78865
10/24/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3969707	347467	390068.6	4391	479409	3336649	0.1437	88.83366	0.81364
10/24/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3969665	347467	375909.6	4395	467815	3197092	0.1463	85.53119	0.80354
10/25/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3970647	347467	401674.8	5036	560575	4008109	0.1399	79.76068	0.71654
10/25/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3970679	347467	387538.7	5139	535800	3776493	0.1419	75.41131	0.72329
10/28/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3972975	347467	282229.8	3778	410474	3156960	0.13	74.70349	0.68757
10/28/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3972951	347467	287475.9	3883	413977	3149102	0.1315	74.03448	0.69442
10/29/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3973939	347467	395751.2	5352	599124	4065366	0.1474	73.94454	0.66055
10/29/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3973915	347467	403376	5261	597225	4164509	0.1434	76.67288	0.67542
10/30/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3974873	347467	429769.6	6580	649703	4504147	0.1442	65.31453	0.66149
10/30/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3974849	347467	439351.4	6542	666683	4562488	0.1461	67.15858	0.65901
10/31/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3975811	347467	397928.6	5551	597008	4284249	0.1393	71.68593	0.66654
10/31/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3975787	347467	394335.3	5443	591906	4274476	0.1385	72.44815	0.66621
11/1/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3976731	347467	277123.2	3953	404546	2917704	0.1387	70.10453	0.68502
11/1/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3976755	347467	281556.6	3987	418937	2948859	0.1421	70.61866	0.67207
11/4/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3978795	347467	468576.7	6185	701529	4938567	0.1421	75.76018	0.66794
11/4/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3978771	347467	464793.4	6141	692971	4983735	0.139	75.68692	0.67073
11/5/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3979653	347467	534143.6	6175	684464	4579163	0.1495	86.50099	0.78038
11/5/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3980449	347467	42984.7	484	53720	261508	0.2034	88.81136	0.80016

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11/5/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3979677	347467	524208.7	5851	669391	4325717	0.1547	89.59301	0.78311
11/6/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3980519	347467	604804.6	6541	775477	4999999	0.1551	92.46363	0.77991
11/6/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3980495	347467	604977.5	6601	770240	5076693	0.1517	91.64937	0.78544
11/7/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3981901	347467	61133.2	675	78040	419233	0.1861	90.5677	0.78336
11/7/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3981349	347467	617248.1	6480	804178	5019764	0.1602	95.25434	0.76755
11/7/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3981373	347467	596723.2	6345	786719	5000000	0.1573	94.04621	0.7585
11/8/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3982155	347467	590119.9	6201	768858	4907122	0.1567	95.16528	0.76753
11/8/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3982131	347467	585198.4	6198	761784	4776131	0.1595	94.4173	0.76819
11/11/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3983633	347467	533719.5	5083	698612	4544454	0.1537	105.0009	0.76397
11/11/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3983613	347467	524592	4875	688730	4244825	0.1623	107.6086	0.76168
11/12/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3984237	347467	293130	3844	429140	2952863	0.1453	76.2565	0.68306
11/12/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3984291	347467	126123.1	2159	179496	1493109	0.1202	58.41737	0.70265
11/12/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3984707	347467	105875.3	1677	148261	1072935	0.1382	63.13375	0.71411
11/12/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3984257	347467	286567.3	3765	426377	3243659	0.1314	76.11349	0.6721
11/13/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3984835	347467	258232.7	3449	389554	2652517	0.1469	74.87176	0.66289
11/13/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3984885	347467	124785.6	2038	167460	1509857	0.1109	61.22944	0.74517
11/13/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3985109	347467	111311.8	1788	151196	1245826	0.1214	62.25492	0.73621
11/13/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3984853	347467	246071.4	3489	374354	2722280	0.1375	70.52777	0.65732
11/14/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3985427	347467	342607.3	4363	517960	3620555	0.1431	78.52562	0.66146
11/14/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3985409	347467	334248.6	4494	501679	3473999	0.1444	74.37664	0.66626
11/14/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3985457	347467	57852.8	828	64219	766211	0.0838	69.87053	0.90087
11/14/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3985675	347467	83851.4	1399	107886	917801	0.1175	59.93667	0.77722
11/15/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3985993	347467	358070.8	4171	542300	3833787	0.1415	85.84771	0.66028
11/15/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3985975	347467	362727.8	4129	548433	3839660	0.1428	87.84883	0.66139

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11/15/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3986023	347467	44674.4	712	56520	586954	0.0963	62.74494	0.79042
11/15/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3986237	347467	40730.2	692	51374	523718	0.0981	58.85867	0.79282
11/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3986977	347467	380324.9	5033	562877	4135246	0.1361	75.56624	0.67568
11/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3986959	347467	388936.3	4889	571666	4241668	0.1348	79.55334	0.68036
11/19/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3987561	347467	356281.6	4227	530595	3673749	0.1444	84.28711	0.67148
11/19/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3987609	347467	54995	973	69935	711665	0.0983	56.52107	0.78637
11/19/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3987623	347467	52400.2	907	66873	675829	0.0989	57.7731	0.78358
11/19/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3987579	347467	354418.5	4241	528494	3717138	0.1422	83.56956	0.67062
11/20/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3988167	347467	343003.7	4910	520029	3415744	0.1522	69.85819	0.65959
11/20/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3988149	347467	352022.2	5193	537420	3449018	0.1558	67.78783	0.65502
11/20/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3988197	347467	42040.3	682	53432	496573	0.1076	61.64267	0.7868
11/20/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3988211	347467	38901.3	618	48678	468880	0.1038	62.94709	0.79916
11/21/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3988691	347467	368387.4	4752	567317	3799484	0.1493	77.5226	0.64935
11/21/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3988673	347467	380067.2	4928	586051	3947379	0.1485	77.12403	0.64852
11/21/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3988721	347467	39356.1	641	49669	470123	0.1057	61.39797	0.79237
11/21/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3988735	347467	37796.4	625	48272	444983	0.1085	60.47424	0.78299
11/22/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3989269	347467	29229.2	554	36703	358972	0.1022	52.76029	0.79637
11/22/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3989229	347467	374407.4	4319	597660	3841253	0.1556	86.68845	0.62646
11/22/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3989211	347467	376367.3	4316	602611	3848334	0.1566	87.2028	0.62456
11/22/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3989257	347467	33684.6	553	42527	416732	0.102	60.91248	0.79208
11/25/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3990467	347467	31420.5	543	40039	377579	0.106	57.86464	0.78475
11/25/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3990427	347467	380287.5	4783	576064	3978310	0.1448	79.50815	0.66015
11/25/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3990409	347467	357002.6	4487	540410	3734526	0.1447	79.56376	0.66061
11/25/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3990455	347467	34121.2	570	43420	407508	0.1066	59.86175	0.78584
11/26/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3991089	347467	33611.8	459	46296	426509	0.1065	73.22932	0.72602

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11/26/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3991097	347467	25209.9	326	34808	321829	0.1082	77.33098	0.72426
11/26/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3991061	347467	448317.6	5353	705354	4456235	0.1583	83.75072	0.63559
11/26/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3991045	347467	443288.4	5375	696576	4401230	0.1583	82.47226	0.63638
11/27/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3991767	347467	88577.6	1458	172351	819987	0.2102	60.75281	0.51394
11/27/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3991775	347467	81249.5	1314	156891	757584	0.2071	61.83371	0.51787
11/27/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3991751	347467	274691.7	2977	511148	2685769	0.1903	92.27131	0.5374
11/27/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3991735	347467	277477	2858	517664	2718394	0.1904	97.08782	0.53602
12/2/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3994535	347467	207039.9	3201	463970	1534301	0.3024	64.67976	0.44624
12/2/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3994543	347467	187551.1	3021	407613	1432091	0.2846	62.08246	0.46012
12/2/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3994523	347467	280047.6	3701	527725	2538137	0.2079	75.66809	0.53067
12/2/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3994507	347467	276717.2	3603	516538	2530850	0.2041	76.80189	0.53572
12/3/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3995267	347467	288528.7	3547	544428	2775729	0.1961	81.34443	0.52997
12/3/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3995295	347467	170493.7	2618	357849	1366808	0.2618	65.12364	0.47644
12/3/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3995303	347467	157412.7	2373	329669	1242913	0.2652	66.33489	0.47749
12/3/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3995283	347467	291305.5	3541	548108	2778269	0.1973	82.26645	0.53147
12/4/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3996119	347467	201681.9	2455	380922	1851663	0.2057	82.15149	0.52946
12/4/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3996103	347467	199971.6	2531	377116	1825464	0.2066	79.00893	0.53027
12/4/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3996131	347467	254656.7	3613	582641	1735809	0.3357	70.48345	0.43707
12/4/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3996139	347467	232468.8	3274	531021	1574941	0.3372	71.00452	0.43778
12/5/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3996997	347467	248632.7	2687	429886	2505196	0.1716	92.53171	0.57837
12/5/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3996981	347467	245947.2	2721	424716	2465429	0.1723	90.38853	0.57909
12/5/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3997009	347467	256328.6	3238	432994	2783296	0.1556	79.16263	0.59199
12/5/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3997017	347467	226550.2	2940	381652	2486471	0.1535	77.05789	0.5936
12/6/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3997907	347467	35311.9	604	43986	430490	0.1022	58.46341	0.8028

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12/6/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3997887	347467	128044.5	1500	211314	1254761	0.1684	85.363	0.60594
12/6/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3997871	347467	123453.7	1516	200972	1232918	0.163	81.43384	0.61428
12/6/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3997899	347467	32775.9	470	40873	408378	0.1001	69.73596	0.8019
12/9/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4000009	347467	83384	924	96986	981415	0.0988	90.24242	0.85975
12/9/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	3999991	347467	302795	3487	404816	2871232	0.141	86.83539	0.74798
12/9/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	3999975	347467	261455.8	2925	337943	2404488	0.1405	89.3866	0.77367
12/9/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4000001	347467	82793	947	97221	999129	0.0973	87.42661	0.8516
12/10/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4000873	347467	190907.4	2435	272795	2060876	0.1324	78.4014	0.69982
12/10/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4000881	347467	186167.4	2426	268775	1978421	0.1359	76.73842	0.69265
12/10/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4000865	347467	243005.2	2858	360010	2653044	0.1357	85.02631	0.675
12/10/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4000851	347467	215826.2	2583	318687	2314256	0.1377	83.55641	0.67724
12/11/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4001755	347467	220492.3	3417	316307	2203102	0.1436	64.52804	0.69708
12/11/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4001763	347467	217121.4	3248	305080	2248738	0.1357	66.84772	0.71169
12/11/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4001747	347467	221008.2	3063	326358	2205300	0.148	72.15416	0.6772
12/11/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4001733	347467	217907.7	3047	322940	2170771	0.1488	71.51549	0.67476
12/12/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4002619	347467	215848.5	2696	370364	1890772	0.1959	80.0625	0.5828
12/12/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4002627	347467	219105.9	2873	377314	1931610	0.1953	76.2638	0.5807
12/12/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4002613	347467	286766.3	3467	430348	3072899	0.14	82.71309	0.66636
12/12/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4002599	347467	274547.8	3336	411991	2944515	0.1399	82.2985	0.66639
12/13/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4003477	347467	34713.8	409	40845	489527	0.0834	84.87482	0.84989
12/13/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4003497	347467	251099.4	2972	372017	2906985	0.128	84.48836	0.67497
12/13/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4003505	347467	258082.9	3051	382700	2984798	0.1282	84.58961	0.67437
12/13/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4003491	347467	34342.8	414	40903	487413	0.0839	82.95362	0.83962
12/16/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4005673	347467	296445.3	3386	472460	3320270	0.1423	87.5503	0.62745
12/16/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4005659	347467	307210.5	3685	488277	3349430	0.1438	83.36784	0.62917

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12/16/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4005679	347467	98415	1229	134907	1180758	0.1143	80.0773	0.7295
12/16/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4005687	347467	99514.5	1176	136071	1188849	0.1145	84.62117	0.73134
12/17/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4006571	347467	326209.3	4299	493750	3729255	0.1324	75.88027	0.66068
12/17/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4006557	347467	338104.4	4382	508090	3721148	0.1365	77.15755	0.66544
12/17/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_Homeow	4007455	new security homeowner only	496	9	607	9745	0.0623	55.11111	0.81713
12/17/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4006577	347467	59131.6	772	69194	836322	0.0827	76.59534	0.85458
12/17/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_Short	4007441	new security short msg	4858.4	84	9755	68122	0.1432	57.8381	0.49804
12/17/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4006585	347467	62777.5	779	73050	866615	0.0843	80.58729	0.85938
12/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_Homeow	4008263	new security homeowner only	670	23	1060	11308	0.0937	29.13043	0.63208
12/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_Homeow	4008359	new security homeowner only	994.2	33	1734	15398	0.1126	30.12727	0.57336
12/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4007491	347467	397194.3	4948	607822	4338375	0.1401	80.27371	0.65347
12/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4007477	347467	391724.1	5281	569779	4403879	0.1294	74.17612	0.6875
12/18/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_Homeow	4008357	new security homeowner only	986.6	40	1579	15285	0.1033	24.665	0.62483
12/19/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4008399	347467	255536.4	2988	387361	2726331	0.1421	85.52088	0.65969
12/19/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4008417	347467	139717.7	1924	193997	1802154	0.1076	72.61835	0.72021
12/19/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4008425	347467	174687.2	2275	258115	1984968	0.13	76.78558	0.67678
12/19/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4008411	347467	245925.2	2826	378812	2774326	0.1365	87.02236	0.6492
12/20/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4009281	347467	124691.8	1459	179402	1379762	0.13	85.46388	0.69504
12/20/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4009299	347467	65218.6	769	102794	695169	0.1479	84.80962	0.63446
12/20/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4009307	347467	66283.9	790	102652	688820	0.149	83.90367	0.64571
12/20/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4009293	347467	121479.3	1445	178295	1393734	0.1279	84.06872	0.68134
12/23/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4011321	347467	309129	3518	464808	3381513	0.1375	87.87067	0.66507

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12/23/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4011309	347467	308534.2	3587	462168	3374032	0.137	86.01455	0.66758
12/26/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4013489	347467	382489.4	4381	572242	4002733	0.143	87.30641	0.6684
12/26/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4013477	347467	379574.6	4410	566306	3970787	0.1426	86.07134	0.67026
12/27/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4014153	347467	339982	3609	516686	3542463	0.1459	94.20393	0.65801
12/27/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4014141	347467	332573.6	3696	501859	3471886	0.1445	89.98203	0.66268
12/30/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4015695	347467	414768	4830	624045	4433422	0.1408	85.87329	0.66464
12/30/2013	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4015683	347467	411139.3	4857	617169	4413433	0.1398	84.64882	0.66617
1/2/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4017235	347467	92089.7	1190	134032	1063022	0.1261	77.3863	0.68707
1/2/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4017223	347467	309757.9	3469	478454	3238495	0.1477	89.29314	0.64741
1/2/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4017211	347467	303261.1	3577	470486	3176345	0.1481	84.78085	0.64457
1/2/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4017229	347467	91421.9	1175	132914	1055947	0.1259	77.80587	0.68783
1/3/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4017689	347467	321333.8	3219	484229	3558558	0.1361	99.82411	0.6636
1/3/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4017677	347467	318606.9	3259	481191	3551468	0.1355	97.76217	0.66212
1/6/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4018419	347467	394179.7	4549	628640	4085183	0.1539	86.65195	0.62704
1/6/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4018409	347467	391621.9	4364	621636	4054913	0.1533	89.73921	0.62999
1/6/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4018421	347467	33887.1	378	39752	466987	0.0851	89.64841	0.85246
1/6/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4018427	347467	36849.1	413	43217	509192	0.0849	89.223	0.85265
1/7/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4018829	347467	152799.7	1648	247345	1614424	0.1532	92.71826	0.61776
1/7/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4018819	347467	299167.8	3405	466441	3071826	0.1518	87.86132	0.64138
1/7/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4018831	347467	155216.5	2196	235976	1656807	0.1424	70.68147	0.65776
1/7/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4019201	468729 (1)	156354.9	1859	196620	1277758	0.1539	84.10699	0.79521
1/7/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4018837	347467	149213.4	2082	225843	1588677	0.1422	71.6683	0.6607
1/8/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4019297	347467	135968.4	1854	202357	1449656	0.1396	73.33786	0.67192
1/8/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4019289	347467	118164.1	1683	177212	1212982	0.1461	70.2104	0.6668

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1/8/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4019525	468729 (1)	126626.1	1565	141309	1219194	0.1159	80.91125	0.89609
1/8/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4019279	347467	119952.4	1753	177762	1221032	0.1456	68.42693	0.67479
1/8/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4019291	347467	137333.2	1892	205919	1477243	0.1394	72.58626	0.66693
1/8/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4019615	468729 (1)	132154.5	1786	162773	1162716	0.14	73.99468	0.81189
1/9/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4019767	347467	25372.1	288	30033	335255	0.0896	88.09757	0.84481
1/9/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4019759	347467	247663	3414	385979	2582311	0.1495	72.54335	0.64165
1/9/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4019993	468729 (1)	253679.8	3517	322563	2147085	0.1502	72.1296	0.78645
1/9/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4019749	347467	247922.2	3443	380438	2566396	0.1482	72.00761	0.65168
1/9/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4019761	347467	23310.2	283	27787	305640	0.0909	82.3682	0.83889
1/9/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4019999	468729 (1)	23476.9	277	24195	265037	0.0913	84.75415	0.97032
1/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4020221	347467	22132.5	274	26272	295766	0.0888	80.77555	0.84244
1/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4020449	468729 (1)	20612.4	224	20895	240385	0.0869	92.01964	0.98648
1/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4020227	347467	23216.5	278	27335	309653	0.0883	83.51259	0.84933
1/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4020219	347467	253211.2	2914	398057	2644807	0.1505	86.89472	0.63612
1/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4020445	468729 (1)	257914.3	3064	331443	2198850	0.1507	84.17569	0.77816
1/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4020209	347467	246921.1	2880	374216	2600969	0.1439	85.73649	0.65984
1/13/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4021141	347467	85424.2	1029	129770	945204	0.1373	83.01672	0.65827
1/13/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4021163	468729 (1)	80382.1	1001	100272	730736	0.1372	80.3018	0.80164
1/13/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4021147	347467	81592.3	989	124507	903830	0.1378	82.4998	0.65532
1/13/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4021139	347467	202171.3	2600	298515	2139640	0.1395	77.75819	0.67726
1/13/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4021161	468729 (1)	206740.2	2528	252833	1806627	0.1399	81.78014	0.81769
1/13/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4021129	347467	206860.8	2509	309854	2181967	0.142	82.44751	0.66761
1/14/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-4	4022047	468729 (1)	12756.2	653	16165	43661	0.3702	19.53476	0.78912
1/14/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4021611	347467	67788	825	92028	812406	0.1133	82.16727	0.7366
1/14/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4021633	468729 (1)	66223.4	865	75638	657530	0.115	76.5584	0.87553

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1/14/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4021617	347467	71157.9	861	97393	1010809	0.0964	82.64564	0.73063
1/14/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4021609	347467	191471.9	2373	295655	1984949	0.1489	80.68769	0.64762
1/14/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4021631	468729 (1)	191588.3	2449	242836	1619280	0.15	78.23124	0.78896
1/14/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4021599	347467	188539	2397	293274	1937482	0.1514	78.65624	0.64288
1/15/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4022073	347467	175403.2	2363	270747	1818514	0.1489	74.22903	0.64785
1/15/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4022519	347467	138394.3	1433	204570	1508274	0.1356	96.57662	0.67651
1/15/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4022085	347467	30980	359	36423	420064	0.0867	86.29526	0.85056
1/15/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4022107	468729 (1)	6159.9	66	6325	73496	0.0861	93.33182	0.9739
1/15/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-4	4022429	468729 (1)	30469.6	1501	38793	109451	0.3544	20.29953	0.78544
1/15/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4022091	347467	30127.5	376	35612	407334	0.0874	80.12633	0.84599
1/15/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4022083	347467	320624.8	3688	485164	3411381	0.1422	86.93731	0.66086
1/15/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-3	4022105	468729 (1)	6427.9	96	7897	55158	0.1432	66.95729	0.81397
1/16/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4022547	347467	241711.4	2745	364459	2570160	0.1418	88.05515	0.66321
1/16/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-4	4022891	468729 (1)	34133.2	1768	42595	121565	0.3504	19.30611	0.80134
1/16/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4022555	347467	130461.5	1645	187480	1507067	0.1244	79.3079	0.69587
1/16/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4022549	347467	131136.2	1628	188378	1525730	0.1235	80.55049	0.69613
1/16/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4022537	347467	240346.3	2703	363215	2553324	0.1423	88.91835	0.66172
1/16/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4022915	347467	160.8	1	255	1971	0.1294	160.8	0.63059
1/17/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4023051	347467	53061.3	618	68779	670082	0.1026	85.85971	0.77148
1/17/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4023043	347467	326864.7	3581	510821	3513882	0.1454	91.27749	0.63988
1/17/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4023033	347467	333600.3	3625	513689	3576752	0.1436	92.02767	0.64942
1/17/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4023045	347467	52103.1	575	67462	659664	0.1023	90.61409	0.77233
1/17/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-4	4023383	468729 (1)	41792.4	1719	53058	156934	0.3381	24.31204	0.78767
1/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4024123	347467	28625.7	253	30015	397039	0.0756	113.1451	0.95371

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1/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4024115	347467	285835.8	3119	426846	3035921	0.1406	91.64341	0.66965
1/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-4	4024157	468729 (1)	67856.2	2644	86460	262415	0.3295	25.66422	0.78483
1/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-mj-	4024557	new security short msg	1747.9	22	3281	23612	0.139	79.45	0.53273
1/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4024105	347467	313150.8	3165	468500	3397987	0.1379	98.9418	0.66841
1/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4024117	347467	28593.3	275	29849	395929	0.0754	103.9756	0.95793
1/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-mj	4024551	468729 (1)	751.1	7	897	6671	0.1345	107.3	0.83735
1/21/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4024617	347467	421211.3	4899	627496	4695074	0.1336	85.97904	0.67126
1/21/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4024609	347467	48242.1	622	72746	545295	0.1334	77.55965	0.66316
1/21/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4024599	347467	49551.1	644	74463	562254	0.1324	76.9427	0.66545
1/21/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4024611	347467	447707.5	5101	670691	4998762	0.1342	87.76857	0.66753
1/22/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4025107	347467	88564.8	1292	109195	1082359	0.1009	68.54861	0.81107
1/22/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4025111	347467	87734.6	1307	106892	1071230	0.0998	67.1267	0.82078
1/22/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4025105	347467	308563.2	3611	482223	3371808	0.143	85.4509	0.63988
1/22/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4025095	347467	308403.2	3689	488219	3328955	0.1467	83.60076	0.63169
1/23/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4025595	347467	88172.7	1194	124041	1066864	0.1163	73.84648	0.71084
1/23/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4025599	347467	85408.5	1198	118630	1032918	0.1148	71.29257	0.71996
1/23/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4025593	347467	260591.3	3001	409003	2880633	0.142	86.83482	0.63714
1/23/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4025583	347467	267271.9	3030	417057	2923352	0.1427	88.20855	0.64085
1/27/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4027277	347467	264651.5	2772	406577	2871289	0.1416	95.47312	0.65093
1/27/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4027289	347467	275237.5	3713	385424	3187962	0.1209	74.12806	0.71412
1/27/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4027293	347467	272797.6	3762	379864	3142738	0.1209	72.51398	0.71815
1/27/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4027287	347467	265394.2	2863	408298	2884162	0.1416	92.69794	0.65
1/28/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4027805	347467	473683.1	4886	721986	5457989	0.1323	96.94701	0.65608
1/28/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4027817	347467	53291.9	777	78273	587978	0.1331	68.58674	0.68085

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1/28/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4027819	347467	54381.6	809	79601	599488	0.1328	67.22077	0.68318
1/28/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4027815	347467	434801	4747	663364	5000000	0.1327	91.5949	0.65545
1/29/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4028357	347467	241243.1	2864	372477	2735652	0.1362	84.23293	0.64767
1/29/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4028347	347467	240783.4	2859	374244	2696089	0.1388	84.21945	0.64339
1/29/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4028359	347467	257131.7	3779	392814	2504241	0.1569	68.04226	0.65459
1/29/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4028361	347467	250227.8	3827	384247	2448040	0.157	65.38484	0.65122
2/3/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4030449	347467	327683.7	3347	504839	3617748	0.1395	97.9037	0.64909
2/3/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4030445	347467	38413.8	512	45974	513662	0.0895	75.02695	0.83555
2/3/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4030435	347467	38416.2	484	46272	514115	0.09	79.37231	0.83023
2/3/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4030447	347467	328905.8	3386	512229	3627258	0.1412	97.13698	0.64211
2/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4030985	347467	126392.1	1319	197684	1423746	0.1388	95.82418	0.63936
2/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4031477	347467	64515.2	707	98221	736264	0.1334	91.25205	0.65684
2/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4030981	347467	36965.7	484	44968	501221	0.0897	76.37541	0.82204
2/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4031471	347467	41508	417	63782	453550	0.1406	99.53957	0.65078
2/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4030971	347467	41262.8	523	50267	557455	0.0902	78.89637	0.82087
2/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4031469	347467	41236.1	428	63305	451760	0.1401	96.34603	0.65139
2/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4030983	347467	133806.7	1277	210387	1508361	0.1395	104.7821	0.636
2/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4031479	347467	64238.2	759	97885	722070	0.1356	84.63531	0.65626
2/5/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4031505	347467	210103.2	2084	321411	2332810	0.1378	100.8173	0.65369
2/5/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4031507	347467	209291.7	2121	319070	2326712	0.1371	98.67595	0.65594
2/5/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4031503	347467	202374.4	2712	312246	2125861	0.1469	74.62183	0.64812
2/5/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4031493	347467	202478.1	2643	312256	2120190	0.1473	76.60919	0.64844
2/5/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-sip	4032001	347467	0	0	0	0			
2/6/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4032047	347467	143950.5	1711	216286	1602443	0.135	84.13238	0.66556
2/6/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4032049	347467	144998.4	1736	218074	1609114	0.1355	83.52442	0.6649

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2/6/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4032045	347467	146712.8	1996	207415	1625732	0.1276	73.50341	0.70734
2/6/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4032035	347467	151401.4	1974	213658	1685596	0.1268	76.69777	0.70862
2/7/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4032561	347467	237660.4	2423	369449	2705020	0.1366	98.08518	0.64328
2/7/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4032573	347467	5383.9	60	8063	63020	0.1279	89.73167	0.66773
2/7/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4032575	347467	5579.6	43	8278	65272	0.1268	129.7581	0.67403
2/7/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4032571	347467	233766.9	2382	364123	2667142	0.1365	98.13892	0.642
2/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4033779	347467	111988.5	1252	159573	1386990	0.115	89.44768	0.7018
2/10/2014	Dial Soft:dwt ds:imm1:WConnect	TW_World_Con2	4034321	347467	58464.6	657	100138	622789	0.1608	88.98721	0.58384
2/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4033837	347467	144880.1	1600	238863	1669498	0.1431	90.55006	0.60654
2/10/2014	Dial Soft:dwt ds:imm1:WConnect	TW_World_Con	4034323	347467	55930.7	655	95874	597463	0.1605	85.39038	0.58338
2/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4033811	347467	137893.8	1468	225228	1581034	0.1425	93.93311	0.61224
2/10/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4033789	347467	111229.9	1235	158618	1382881	0.1147	90.0647	0.70124
2/11/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4034357	347467	53441.5	697	92647	550712	0.1682	76.6736	0.57683
2/11/2014	Dial Soft:dwt ds:imm1:WConnect	TW_World_Con	4034863	347467	167153.2	1879	301678	1779145	0.1696	88.95859	0.55408
2/11/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4034347	347467	5869	84	8351	70329	0.1187	69.86905	0.70279
2/11/2014	Dial Soft:dwt ds:imm1:WConnect	TW_World_Con2	4034867	347467	33139.6	433	49237	403671	0.122	76.53487	0.67306
2/11/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4034405	347467	6778.3	90	9774	82735	0.1181	75.31444	0.6935
2/11/2014	Dial Soft:dwt ds:imm1:WConnect	TW_World_Con	4034865	347467	32243.3	426	48193	389496	0.1237	75.6885	0.66905
2/11/2014	Dial Soft:dwt ds:imm1:WConnect	TW_World_Con2	4034859	347467	171490.5	1962	309944	1833106	0.1691	87.40596	0.5533
2/11/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4034359	347467	56451.3	737	97886	581400	0.1684	76.59607	0.5767
2/12/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4034951	347467	76509.6	761	127518	786018	0.1622	100.5382	0.59999
2/12/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4034949	347467	160398.4	2192	266685	1789000	0.1491	73.17445	0.60145
2/12/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4034939	347467	161543.3	2113	270443	1805489	0.1498	76.45211	0.59733
2/12/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4034993	347467	64688.2	655	107459	661974	0.1623	98.76061	0.60198

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2/13/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4035535	347467	226965.7	2350	387828	2482870	0.1562	96.58115	0.58522
2/13/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4035525	347467	231642.7	2437	395898	2537448	0.156	95.0524	0.58511
2/14/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4036103	347467	298735.2	3155	514201	3348999	0.1535	94.68628	0.58097
2/14/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4036113	347467	300955.2	3069	516905	3429131	0.1507	98.06295	0.58223
2/17/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4037367	347467	253668.3	2528	452292	2636507	0.1715	100.3435	0.56085
2/17/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4037365	347467	30111.1	358	43645	388866	0.1122	84.10922	0.68991
2/17/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4037355	347467	29973.7	327	42737	387395	0.1103	91.66269	0.70135
2/17/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4037395	347467	250355.7	2583	445553	2582862	0.1725	96.92439	0.5619
2/18/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4037979	347467	30572.5	426	47363	379767	0.1247	71.76643	0.64549
2/18/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4037951	347467	31309.8	418	48477	383151	0.1265	74.90383	0.64587
2/18/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4037949	347467	236119.1	2273	418105	2384648	0.1753	103.8799	0.56474
2/18/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4037939	347467	232685.8	2322	409802	2345529	0.1747	100.2092	0.5678
2/19/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4038573	347467	31608.8	428	47317	376868	0.1256	73.85234	0.66802
2/19/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4038547	347467	31741	444	47499	376448	0.1262	71.48874	0.66825
2/19/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4038545	347467	203242.3	2081	357115	1983190	0.1801	97.66569	0.56912
2/19/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4038535	347467	201841.2	2137	354938	1967965	0.1804	94.45073	0.56867
2/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4039091	347467	205626.6	1958	353258	2084449	0.1695	105.0187	0.58209
2/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4039129	347467	20724.8	267	32505	238785	0.1361	77.62097	0.63759
2/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4039103	347467	20138.3	260	31529	245608	0.1284	77.455	0.63872
2/20/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4039101	347467	210016.6	1948	362092	2129241	0.1701	107.8114	0.58001
2/21/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4039657	347467	211244.7	2421	374647	2222046	0.1686	87.25514	0.56385
2/21/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4039687	347467	25783.1	378	39319	311972	0.126	68.20926	0.65574
2/21/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4039669	347467	26079.1	361	39560	318434	0.1242	72.24127	0.65923
2/21/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4039667	347467	210185.5	2459	373679	2216562	0.1686	85.47601	0.56248
2/24/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4041013	347467	194745	2376	342351	2047081	0.1672	81.96338	0.56885

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2/24/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4041003	347467	191351.8	2353	336189	2016873	0.1667	81.32248	0.56918
2/24/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4041033	347467	31760.1	437	48402	402567	0.1202	72.67757	0.65617
2/24/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4041015	347467	32605.3	433	50104	425237	0.1178	75.30092	0.65075
2/25/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4041601	347467	30032.5	400	45459	395097	0.1151	75.08125	0.66065
2/25/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4041599	347467	245763.9	2878	434811	2645511	0.1644	85.39399	0.56522
2/25/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4041589	347467	246327.4	2911	434942	2655776	0.1638	84.61951	0.56635
2/25/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4041619	347467	30670.3	415	46488	411529	0.113	73.90434	0.65975
2/26/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4042151	347467	26423.8	353	38593	333116	0.1159	74.85496	0.68468
2/26/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4042149	347467	215858	2835	380040	2235730	0.17	76.14039	0.56799
2/26/2014	Dial Soft:dwt ds:imm2:cw2	cw_new1	4042693	347467	21127.2	250	27426	297562	0.0922	84.5088	0.77033
2/26/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4042139	347467	217968.9	2797	383330	2256161	0.1699	77.92953	0.56862
2/26/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4042169	347467	27024.7	386	39309	343715	0.1144	70.01218	0.68749
2/26/2014	Dial Soft:dwt ds:imm2:cw2	cw_new1	4042687	347467	30147.8	432	51107	318992	0.1602	69.78657	0.5899
2/27/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4042751	347467	14385.7	195	21890	173703	0.126	73.77282	0.65718
2/27/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4042749	347467	236247.3	3097	414941	2491235	0.1666	76.28263	0.56935
2/27/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4042739	347467	242860.6	2881	428822	2633386	0.1628	84.29733	0.56634
2/27/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4042767	347467	14647.2	186	22373	177597	0.126	78.74839	0.65468
2/28/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4043293	347467	249320.4	2831	443791	2701094	0.1643	88.06796	0.5618
2/28/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4043283	347467	247752.6	2917	442500	2713758	0.1631	84.93404	0.55989
3/3/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4044445	347467	239581.7	3012	429268	2429895	0.1767	79.5424	0.55812
3/3/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4044435	347467	241737.4	3014	436000	2443524	0.1784	80.20484	0.55444
3/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4044975	347467	22822.3	294	33864	298326	0.1135	77.62687	0.67394
3/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4044959	347467	30598.4	382	45618	413059	0.1104	80.10052	0.67075
3/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4044957	347467	230576.7	2998	409000	2480635	0.1649	76.91017	0.56376

Exhibit DJ 1, Att. H
Shiller Dec.

P&O0000494-16

3/4/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4044947	347467	231300.8	2946	410396	2498425	0.1643	78.51351	0.5636
3/5/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4045487	347467	120445.4	1419	216255	1337736	0.1617	84.88048	0.55696
3/5/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4045515	347467	14958.5	182	23027	210880	0.1092	82.18956	0.64961
3/5/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New	4045499	347467	14416	195	21954	189337	0.116	73.92821	0.65665
3/5/2014	Dial Soft:dwt ds:imm1:WConnect	World_Con_New-2	4045497	347467	121289.3	1323	217962	1353752	0.161	91.67748	0.55647

Exhibit DJ 1, Att. H
Shiller Dec.

P&O0000494-17

To: Mike Jones[mikej@savilo.com]; Justin Ramsey[jramsey9799@gmail.com]; Steve Stansbury[steve@savilo.com]
From: Houston Lewis
Sent: Mon 7/14/2014 7:08:16 PM
Subject: Fwd: Hourly Update -- Home Security
[image002.gif](#)
[image001.png](#)

Mike???

----- Forwarded message -----

From: Herbert Carranza <hcarranza@wconnection.net>
Date: Mon, Jul 14, 2014 at 12:06 PM
Subject: RE: Hourly Update -- Home Security
To: Houston Lewis <creativemarketingaz@gmail.com>
Cc: "creativemarketingaz1@gmail.com" <creativemarketingaz1@gmail.com>, Jose Valiente <jvaliente@wconnection.net>, Esteban Morales <esteban@wconnection.net>, Dulce Nowell <dnowell@wconnection.net>, Walter Randich <wrandich@wconnection.net>

Hi Houston,

We've discussed these calls before. They are the calls that come in but there's no one on the line. They are different than the calls that we get that come in as "hung up". Those are listed as "call came in as hung up".

Esteban reached out to Mike Jones about these leads because the frequency with which we're getting them is increasing. They're now accounting for about 35% of our daily volume. I've gone through those calls and I sent some examples over to Esteban to share with Mike. Last I heard from Esteban, he hadn't gotten a response from Mike.

Without those dead calls our conversion is running at about 15% most days.

I'd really like to get to the bottom of what's causing these calls because we're losing potential clients and it's costing everyone money. Unfortunately we've done everything possible to diagnose the root cause on our end, but we haven't been successful. Any help we can get from your teams would be greatly appreciated.

Thanks.

Herbert

[image: Herbert Carranza]

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Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000225-01

immediately by email if you have received this email by mistake and delete this email from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

[image: Green_footers_1]

From: Houston Lewis [mailto:creativemarketingaz@gmail.com]
Sent: Monday, July 14, 2014 12:41 PM
To: Herbert Carranza
Cc: creativemarketingaz1@gmail.com; Jose Valiente; Esteban Morales; Dulce Nowell; Walter Randich
Subject: Re: Hourly Update -- Home Security

Conversion is down and has been slipping...what does customer never spoke mean? That accounts for almost a quarter of our calls??

On Mon, Jul 14, 2014 at 11:31 AM, Herbert Carranza <hcarranza@wconnection.net> wrote:

DESCRIPTION

CALLS

%

Customer never spoke

279

22.57%

Not Interested

229

18.53%

Renter

228

18.45%

DO NOT CALL

146

11.81%

Call Transferred

142

11.49%

Call came in as Hung Up

98

7.93%

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000225-02

Customer doesn't speak English

43

3.48%

Agent Not Available

25

2.02%

Call Back

20

1.62%

Answering Machine

18

1.46%

Lead Being Called

8

0.65%

TOTALS:

Headcount

Total Transfers

Current TPH

Conversion

Wait Time

12:27 PM

13

138

4.34

11.65%

49.49%

Rank

Agent

Sales

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000225-03

Hours

TPH

Conversion

#N/A

HS - Lesther de Leon

0

0.00

0.00

0.00%

1

HS - Juan Martinez

14

2.43

5.75

17.07%

2

HS - Walter Randich

14

2.35

5.97

15.73%

2

HS - Edgar Leiva

14

2.47

5.67

15.73%

4

HS - Jose Melgar

9

2.48

3.64

12.00%

5

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000225-04

HS - Johosellin Santos

10

2.44

4.10

11.63%

6

HS - Fidel Gonzalez

12

2.47

4.86

11.54%

7

HS - Maria Barbosa

11

2.47

4.45

11.46%

8

HS - Ana Lucia Calderon

10

2.46

4.06

11.11%

9

HS - Maria Corado

10

2.48

4.03

10.31%

10

HS - Haydar Portillo

10

2.45

4.08

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000225-05

9.90%

11

HS - Edgar Davila

9

2.39

3.76

9.38%

12

HS - Edwin Loarca

8

2.44

3.28

8.60%

13

HS - Walter Perez

7

2.43

2.88

7.45%

[image: Herbert Carranza]

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[image: Green_footers_1]

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000225-06

To: Herbert Carranza[hcarranza@wconnection.net]
Cc: Jose Valiente[jvaliente@wconnection.net]; Esteban[esteban@wconnection.net]; Roberto Herrera[roberto@wconnection.net]; Justin Ramsey[jramsey9799@gmail.com]; mikej@savilo.com[mikej@savilo.com]; asalisbury@wconnection.net[asalisbury@wconnection.net]; creativemarketingaz@gmail.com[creativemarketingaz@gmail.com]
From: Hugo Vignolo
Sent: Fri 6/20/2014 3:57:44 PM
Subject: Re: Hourly Update -- Auto Warranty

Lets keep the conversion like this guys!!!

Hugo Vignolo
CEO
World Connection

> On 20/06/2014, at 09:52, "Herbert Carranza" <hcarranza@wconnection.net> wrote:

>
>
> TOTALS:
> Headcount
> Total Transfers
> Current TPH
> Conversion
> Wait Time
> 9:48 AM
> 3
> 6
> 2.50
> 25.00%
> 61.43%
>
> Agent
> Sales
> Hours
> TPH
> Conversion
> AW - Jose Ponce
> 3
> 0.80
> 3.73
> 37.50%
> AW - Lester De Leon
> 2
> 0.89
> 2.26
> 20.00%
> AW - Eric Hallock
> 1
> 0.71
> 1.40
> 16.67%

>
>
>
> <image001.png>
> This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this email. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.
> <image002.gif>
>

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000267-01

To: 'Houston Lewis'[creativemarketingaz@gmail.com]
Cc: 'Hugo Vignolo'[hugo@wconnection.net]; 'Esteban Morales'[esteban@wconnection.net]; 'Jose Valiente'[jvaliente@wconnection.net]; asalisbury@wconnection.net[asalisbury@wconnection.net]; 'Justin Ramsey'[jramsey9799@gmail.com]; 'Mike Jones'[mikej@savilo.com]; 'Hugo Vignolo'[hugo@wconnection.net]; 'Esteban Morales'[esteban@wconnection.net]; 'Jose Valiente'[jvaliente@wconnection.net]; asalisbury@wconnection.net[asalisbury@wconnection.net]; 'Justin Ramsey'[jramsey9799@gmail.com]; 'Mike Jones'[mikej@savilo.com]
From: Herbert Carranza
Sent: Tue 6/17/2014 12:50:55 AM
Subject: RE: Campaign

Yep, it is high.

Dropping to five people would only increase our talk time about 15%. Our total talk time for today was 8.5 hours, between all agents. Keep in mind that finding agents that are capable of doing this campaigns is more difficult than finding staff for our other campaign.

Thanks.

Herbert

From: Houston Lewis [mailto:creativemarketingaz@gmail.com]
Sent: Monday, June 16, 2014 6:35 PM
To: Herbert Carranza; Herbert Carranza
Cc: Hugo Vignolo; Esteban Morales; Jose Valiente; asalisbury@wconnection.net; Justin Ramsey; Mike Jones; Hugo Vignolo; Esteban Morales; Jose Valiente; asalisbury@wconnection.net; Justin Ramsey; Mike Jones
Subject: Re: Campaign

And we can't get the calls much faster over to you....

On Mon, Jun 16, 2014 at 5:34 PM, Houston Lewis <creativemarketingaz@gmail.com <mailto:creativemarketingaz@gmail.com> > wrote:

That is wayyyy to much, don't you agree.

On Mon, Jun 16, 2014 at 5:20 PM, Herbert Carranza <hcarranza@wconnection.net <mailto:hcarranza@wconnection.net> > wrote:

Just about 62%.

Herbert

From: Houston Lewis [mailto:creativemarketingaz@gmail.com <mailto:creativemarketingaz@gmail.com>]
Sent: Monday, June 16, 2014 6:22 PM
To: Herbert Carranza; Herbert Carranza
Cc: Hugo Vignolo; Esteban Morales; Jose Valiente; asalisbury@wconnection.net <mailto:asalisbury@wconnection.net> ; Justin Ramsey; Mike Jones; Hugo Vignolo; Esteban Morales; Jose Valiente; asalisbury@wconnection.net <mailto:asalisbury@wconnection.net> ; Justin Ramsey; Mike Jones
Subject: Re: Campaign

Mike,

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000282-01

Do we need 8 reps? The wait time is incredibly high with 8. Maybe 5 would be better suited. What was the wait time today Herbert?

On Mon, Jun 16, 2014 at 5:18 PM, Herbert Carranza <hcarranza@wconnection.net <mailto:hcarranza@wconnection.net> > wrote:

No problem, Houston. We'll use this script starting tomorrow.

I've selected the agents for this campaign solely on English levels. There are four that just joined us, so they may require some time to acclimate to the campaign and the script. I'm confident that all eight will be fine on the phone.

Our is already scoring calls. Since we implemented the script late this afternoon, we had some hiccups. I know tomorrow will be better.

Thanks.

Herbert

From: Houston Lewis [mailto:creativemarketingaz@gmail.com <mailto:creativemarketingaz@gmail.com>]

Sent: Monday, June 16, 2014 6:08 PM

To: Hugo Vignolo; Esteban Morales; Jose Valiente; Herbert Carranza; asalisbury@wconnection.net <mailto:asalisbury@wconnection.net> ; Justin Ramsey; Mike Jones; Hugo Vignolo; Esteban Morales; Jose Valiente; Herbert Carranza; asalisbury@wconnection.net <mailto:asalisbury@wconnection.net> ; Justin Ramsey; Mike Jones

Subject: Campaign

Hello Everyone,

We have been running this campaign for a couple weeks now and are getting close to perfecting it. We all need to work together and hard on this to make it work.

Attached is the script we would like you to use tomorrow. It is similar to the one used today but more in line with the call that happens before you get the call.

It is imperative that you follow the script exactly. I mean exactly, do not deviate from it. If the customer asks questions, please answer accordingly. The reps you have on it should be ok with doing that.

Also, the reps may not tell the customer they are transferring to a BUICK rep, or a FORD rep...just tell them they are transferring them to the vehicle specialist.

And lastly, accents, accents, accents! There were 8 reps on this campaign today, I am not sure if we need all 8. I heard at least 3 different reps with bad accents. Jose/Herbert, can you please listen to calls right away and figure out who is good to be on campaign and not. We need to make this work before we throw on more representatives that are not trained. Also, please have your QA listen to the calls and make sure the script is being followed exactly. If it is not, take them off the campaign immediately and coach them.

Exhibit DJ, Att 1
Shiller Dec.

P&O0000282-02

We are close guys....

Thank you,

E

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000282-03

To: Jose Valiente[jvaliente@wconnection.net]; 'Esteban'[esteban@wconnection.net]; 'Hugo Vignolo'[hugo@wconnection.net]; 'Roberto Herrera'[roberto@wconnection.net]; Justin Ramsey[jramsey9799@gmail.com]; mikej@savilo.com[mikej@savilo.com]; asalisbury@wconnection.net[asalisbury@wconnection.net]; creativemarketingaz@gmail.com[creativemarketingaz@gmail.com]
From: Herbert Carranza
Sent: Thur 6/19/2014 8:20:06 PM
Subject: Hourly Update -- Auto Warranty
[image001.png](#)
[image002.gif](#)

Team,

We've gotten a number of calls today from customers stating that the previous representative told them that they were eligible for coverage despite clearly stating how old their car is. I tried to reach out to Houston to get clarification, but he suggested I reach Eric.

I'm not sure if there are previous representatives taking calls, but as you can see from the distribution of leads, cars that are too old are still the primary reason for disqualification. If there is a way to prevent people that are outright telling us that their cars are too old from getting to us, then we can definitely improve our own conversion rate.

DESCRIPTION

CALLS

%

Year not covered

31

17.13%

Call Transferred

26

14.36%

Call Back

20

11.05%

Not Interested

20

11.05%

Customer Hung Up

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000288-01

19

10.50%

Agent Not Available

12

6.63%

Silent

12

6.63%

Purchased warranty i

11

6.08%

Doesnt want to give

9

4.97%

Not Eligible

5

2.76%

DO NOT CALL

4

2.21%

Mileage out of cover

3

1.66%

No method of payment

3

1.66%

No agent available

2

1.10%

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000288-02

Check engineservice

2

1.10%

No time to talk to r

2

1.10%

TOTALS:

Headcount

Total Transfers

Current TPH

Conversion

Wait Time

2:13 PM

3

25

1.77

14.29%

61.43%

Agent

Sales

Hours

TPH

Conversion

AW - Eric Hallock

11

4.50

2.45

20.75%

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000288-03

AW - Jose Ponce

9

4.80

1.88

15.52%

AW - Lesther De Leon

5

4.85

1.03

7.81%

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Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000288-04

To: Houston Lewis[creativemarketingaz@gmail.com]; Herbert Carranza[hcarranza@wconnection.net]
Cc: Jose Valiente[jvaliente@wconnection.net]; Esteban Morales[esteban@wconnection.net]; Bobby[roberto@wconnection.net]; Justin Ramsey[jramsey9799@gmail.com]; Mike Jones[mikej@savilo.com]; Andy Salisbury[asalisbury@wconnection.net]
From: Hugo Vignolo
Sent: Thur 6/19/2014 4:02:21 PM
Subject: RE: Hourly Update -- Auto Warranty
[image002.gif](#)
[image001.png](#)

Will be on it all day, I am sure Herbert team can deliver.

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Date: Thu, 19 Jun 2014 08:59:07 -0700
Subject: Re: Hourly Update -- Auto Warranty
From: creativemarketingaz@gmail.com
To: hcarranza@wconnection.net
CC: jvaliente@wconnection.net; esteban@wconnection.net; hugo@wconnection.net; roberto@wconnection.net; jramsey9799@gmail.com; mikej@savilo.com; asalisbury@wconnection.net

Need to get more transfers over today....25% conversion at least across the board. Please let your reps know that. We expect a lot which is why we are paying so much for them. US reps that we had transferred above 35%...hope you can get close to that. And it was the same script....

On Wed, Jun 18, 2014 at 1:07 PM, Herbert Carranza <hcarranza@wconnection.net> wrote:

TOTALS:

Headcount
Total Transfers
Current TPH
Conversion
Wait Time
2:07 PM
3
21
1.66
14.69%
56.09%

Agent
Sales
Hours
TPH
Conversion
AW - Eric Hallock
9
4.21
2.14
18.75%
AW - Jose Ponce
6
3.94
1.52
12.77%
AW - Lester De Leon

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000295-01

6
4.49
1.34
12.50%

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Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000295-02

To: 'Houston Lewis'[creativemarketingaz@gmail.com]
Cc: 'Justin Ramsey'[jramsey9799@gmail.com]; 'Roberto Herrera'[roberto@wconnection.net]; 'Jose Valiente'[jvaliente@wconnection.net]; 'Hugo Vignolo'[hugo@wconnection.net]; mikej@savilo.com[mikej@savilo.com]; asalisbury@wconnection.net[asalisbury@wconnection.net]; 'Esteban'[esteban@wconnection.net]; 'Justin Ramsey'[jramsey9799@gmail.com]; 'Roberto Herrera'[roberto@wconnection.net]; 'Jose Valiente'[jvaliente@wconnection.net]; 'Hugo Vignolo'[hugo@wconnection.net]; mikej@savilo.com[mikej@savilo.com]; asalisbury@wconnection.net[asalisbury@wconnection.net]; 'Esteban'[esteban@wconnection.net]
From: Herbert Carranza
Sent: Mon 6/16/2014 4:34:27 PM
Subject: RE: Please stop dialing
[image001.png](#)
[image002.gif](#)

We're ready to start.

Thanks.

From: Houston Lewis [mailto:creativemarketingaz@gmail.com]
Sent: Monday, June 16, 2014 10:26 AM
To: Herbert Carranza; Herbert Carranza
Cc: Justin Ramsey; Roberto Herrera; Jose Valiente; Hugo Vignolo; mikej@savilo.com; asalisbury@wconnection.net; Esteban; Justin Ramsey; Roberto Herrera; Jose Valiente; Hugo Vignolo; mikej@savilo.com; asalisbury@wconnection.net; Esteban
Subject: Re: Please stop dialing

Please send new inbound number. Campaign is paused for the next.15 min

On Jun 16, 2014 8:19 AM, "Herbert Carranza" <hcarranza@wconnection.net <mailto:hcarranza@wconnection.net> > wrote:

We have a tech issue coming up and we're unable to dial to the transfer line.

Please stop the dialer while we figure out what's going on.

Thanks.

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Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000309-01

To: Jose Valiente[jvaliente@wconnection.net]; 'Esteban'[esteban@wconnection.net]; 'Hugo Vignolo'[hugo@wconnection.net]; 'Roberto Herrera'[roberto@wconnection.net]; Justin Ramsey[jramsey9799@gmail.com]; mikej@savilo.com[mikej@savilo.com]; asalisbury@wconnection.net[asalisbury@wconnection.net]; creativemarketingaz@gmail.com[creativemarketingaz@gmail.com]
From: Herbert Carranza
Sent: Mon 6/9/2014 7:12:23 PM
Subject: Feedback for Michael
[image001.png](#)
[image002.gif](#)

Hey team,

Please let the AW agents know that we're transferring live calls to them. Agent Michael picked up the phone and said something on the line that sounded like, "I hate these.[unintelligible]" can't tell if he said, "calls" or "walls", but it can cause a negative impression on our customers.

Here's the recording for the call:
http://181.114.17.220/RECORDINGS/MP3/20140609-110519_3364282855-all.mp3

Thanks.

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Exhibit DJ 1, Att. I
Shiller Dec.

P&O0000412-01

To: Mike Jones[mikej@savilo.com]
From: Justin Ramsey
Sent: Sat 3/24/2012 7:23:33 PM
Subject: Fwd: phone responders
[mikemoranz.xlsx](#)
[Untitled attachment 00010.htm](#)

Append names to thos

Sent from my iPhone

Begin forwarded message:

From: Justin Ramsey <jramsey9799@gmail.com>
Date: March 23, 2012 4:25:46 PM EDT
To: Mike Moranz <mmoranz@powersourcemarketing.com>
Subject: phone responders

On Fri, Mar 23, 2012 at 11:28 AM, Mike Moranz
<mmoranz@powersourcemarketing.com> wrote:

OK, let me know how you end up after today, and we will circle back Monday. If this doesn't work at all, I have an alternative for us.

Thanks Nick

Michael Moranz
Power Source Marketing

O: 561.288.6438
M: 561.886.8077
F: 561.431.6127
E: mmoranz@powersourcemarketing.com

skype: mike.moranz

www.powersourcemarketing.com <<http://www.powersourcemarketing.com/>>
7900 Glades Road, Suite 120
Boca Raton, FL 33434

On Mar 23, 2012, at 11:52 AM, Nick Long wrote:

Mike,

Please see the attached stats from the first two days of dialing. So far after dialing 8,000 records we have only been able to transfer 12 calls. A lot of the people we are speaking to say they have received several calls and want to be taken off the list. I understand its aged data but just wondering how many times you sell it. Also a lot of people are claiming wrong number or saying that they thought it was for a job not going back to school. Also, our contact ratio seems pretty low, does that

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0001084-01

look right to you? I am hoping that today goes much better and we are able to reach the 1%-2% transfers off of this file. If this data works, we will be purchasing 50K per week.

As of right now we are pretty disappointed in the results. We are open to any suggestions on how to improve.

Thanks,

Nick

From: Edson Corzantes [mailto:it@wconnection.net]
Sent: Friday, March 23, 2012 8:20 AM
To: Nick Long
Subject: Report Campaign EDU 03-22-2012

hi nick,

i send you the stats of the campaing EDU

<EDUstats03-22-2012.txt>

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.1913 / Virus Database: 2114/4891 - Release Date: 03/24/12

Exhibit DJ 1, Att. I
Shiller Dec.

P&O0001084-02

From: [Tracie Conner](#)
To: ray@savilo.com
Subject: spoof ANI must be removed asap
Date: Friday, September 13, 2013 3:04:21 PM

Hi Ray,

Customer is World Connect, 32629.
Two schedules today - 3930463 and 3931463

this is an invalid ANI 3477752743. They need to remove it and stop using it immediately.

Please confirm back once corrected.

Thanks for your help,
Tracie Conner

Exhibit DJ 1, Att. J
Shiller Dec.

NDS0005068

CONFIDENTIAL

CDR Spreadsheet Column Descriptions

Column	Code	Description
A	cdr_date_start	Date and start time of the call record.
B	cdr_date_end	Date and end time of the call record.
C	cdr_tn1	Destination number for an outbound call. Call Line ID (CLID) for an inbound call.
D	cdr_tn2	CLID for an outbound call. Destination number for an inbound call.
E	cdr_call_time	Duration of "call" in milliseconds (includes pre-connect time like routing, ringing, etc.).
F	cdr_connect_time	Billable duration of call in seconds (commences with call answer).
G	cdr_connect_time_bill	Billable increment in minutes (rounded up to nearest 1/10 th minute).
H	cdr_termination_code	SIP/System termination code. See https://en.wikipedia.org/wiki/List_of_SIP_response_codes Other Internal Codes: " 10001 ": for an outbound call, the originating party hangs up; for an inbound call, the receiving party hangs up. " -1 ": no SIP code determined.
I	cdr_amount	Amount billed for call in dollars.
J	cdr_intrastate	Whether or not call was intrastate. ("0" is not intrastate; "1" is intrastate)
K	cdr_trunkgroup_id	N = null; if on an older TDM, then will list the specific trunk number utilized for the call.
L	cdr_ext_call_id	Unique record code assigned by SIP.
M	cdr_ext_call_id_src	N = null; otherwise indicates the "cdr_ext_call_id" (Column L above) of a bridged call.
N	cdr_type	Whether call was inbound ("4") or outbound ("0").
O	cdr_ported_phone_no	N = null; otherwise designates the Local Routing Number ("LRN") of a ported number.

CONSUMER SENTINEL NETWORK

Fraud Complaints	
Record 1 of 1	
Reference Number	48231417
Created Date	09/13/2013
Created By	FTCCIS-FTCUSER
Load Date	09/13/2013
Updated By	
Updated Date	
Complaint Source	FTC Online Complaint Assistant (CIS)
Originator Reference Number	
Language	English
Contact Type	Complaint
Data Source	Consumer
DNC?	N
Agency Contact	Internet
Complaint Date	09/13/2013
Transaction Date	09/13/2013
Member of armed forces or dependant?	N
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Salutation	
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, Line 3	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State Code	
Consumer Address, State Code Cleansed	
Consumer Address, State Name	
Consumer Address	

Consumer Address, Country Code	USA
Consumer Address, Country Code Cleansed	USA
Consumer Address, Country Name	UNITED STATES
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Home Phone, Country Code	
Consumer Home Phone, Area Code	
Consumer Home Phone, Number	
Consumer Work Phone, Country Code	
Consumer Work Phone, Area Code	
Consumer Work Phone, Number	
Consumer Work Phone, Extension	
Consumer Fax, Country Code	
Consumer Fax, Area Code	
Consumer Fax, Number	
Consumer Cell Phone, Country Code	
Consumer Cell Phone, Area Code	
Consumer Cell Phone, Number	
Consumer Email	
Consumer Age range	
Consumer Military Status	
Consumer Military Station	
Consumer Complaining Company/Org	
Consumer Military Service Branch	
Company Type	Primary Company

Company Name	Unknown
Company Normalized Name	Unknown
Company Address, Line 1	
Company Address, Line 2	
Company Address, Line 3	
Company Address, City	
Company Address, City Cleansed	
Company Address, State Code	
Company Address, State Code Cleansed	
Company Address, State Name	
Company Address, Country Code	USA
Company Address, Country Code Cleansed	USA
Company Address, Country Name	UNITED STATES
Company Address, ZIP Code	
Company Address, ZIP Code Cleansed	
Company Address, ZIP Code Extension	
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Company Phone, Extension	
Company Email	
Company Website	
Company Subject ID Type Code	
Company Subject ID Type Name	
Company Subject ID Issuing State Code	
Company Subject ID Issuing State Name	
Company Subject ID	

Issuing Country Code	
Company Subject ID	
Issuing Country Name	
Company Rep First Name	automated recording
Company Rep Middle Name	
Company Rep Last Name	automated recording
Company Rep Salutation	
Company Rep Comments	automated recording
Complaint Info Initial Contact Method	Phone Call: Mobile/Cell
Complaint Info Initial Contact Date	09/13/2013
Complaint Info Initial Response Method	Answer cold call
Complaint Info Initial Response Date	
Complaint Info Amount Requested Method	
Complaint Info Amount Requested Value	
Complaint Info Amount Paid Method	
Complaint Info Amount Requested Value Cleansed	
Complaint Info Amount Paid Value	
Complaint Info Product Service Code	9207
Complaint Info Amount Paid Value Cleansed	
Complaint Info Product Service Description	Mobile: Accessories, Devices, and Services
Complaint Info Law Violation Code	DDM
Complaint Info Law Violation Description	Deception/Misrepresentation
Complaint Info Statute Code	P
Complaint Info Statute Description	FTC Act Sec 5 (BCP)
Complaint Info Topic Code	
Complaint Info Topic Description	
	I'm receiving unsolicited calls from an automated (recorded voice) system telling me

Complaint Info Comments	that the FBI has indicated how frequently crimes are committed in the U.S.I hang up.The number the call is coming from is 347-775-2743.
Complaint Info CRA Dispute Flag	
Complaint Info CRA Dispute Responded	
Complaint Info CRA Dispute Resolved	
Complaint Info Complaint disposition provided?	
Complaint Info Complaint Disposition	
Complaint Info Cross Border Complaint?	No

Do Not Call Complaints

Record 1 of 22

Reference Number	48536531
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	[REDACTED]
Consumer Middle Name	
Consumer Last Name	[REDACTED]
Consumer Address, Line 1	[REDACTED]
Consumer Address, Line 2	
Consumer Address, City	[REDACTED]
Consumer Address, City Cleansed	[REDACTED]
Consumer Address, State	[REDACTED]
Consumer Address, State Cleansed	[REDACTED]
Consumer Address, State Name	[REDACTED]
Consumer Address, ZIP Code	[REDACTED]
Consumer Address, ZIP Code Cleansed	[REDACTED]
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	[REDACTED]
Consumer Phone, Number	[REDACTED]

Company Name	Not Provided
Company Normalized Name	Not Provided
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/12/2013
Other Information Transaction Time	18:00:00
Other Information Comments	I also received another call from a different number with just a beeping sound on 9/9/13 and I googled the number and others have complained about it as well, I don't know if it's the same people, but that number is 413-749-5006. They left a voicemail that was just a beeping sound. The call from the 12 was a recording talking about the FBI and security.
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	
Record 2 of 22	
Reference Number	48539011
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	████
Consumer Middle Name	
Consumer Last Name	████████

Consumer Address, Line 1	[REDACTED]
Consumer Address, Line 2	
Consumer Address, City	[REDACTED]
Consumer Address, City Cleansed	[REDACTED]
Consumer Address, State	[REDACTED]
Consumer Address, State Cleansed	[REDACTED]
Consumer Address, State Name	[REDACTED]
Consumer Address, ZIP Code	[REDACTED]
Consumer Address, ZIP Code Cleansed	[REDACTED]
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	[REDACTED]
Consumer Phone, Number	[REDACTED]
Company Name	Not Provided
Company Normalized Name	Not Provided
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/12/2013

Other Information Transaction Time	12:00:00
Other Information Comments	Selling home security systems
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	Yes
Record 3 of 22	
Reference Number	48539338
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	█
Consumer Middle Name	
Consumer Last Name	█
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	█
Consumer Address, City Cleansed	█
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	█
Consumer Address, ZIP Code	█
Consumer Address, ZIP Code Cleansed	█
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	█
Company Name	Not Provided
Company Normalized Name	Not Provided
Company State	NY

Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	10:00:00
Other Information Comments	
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No

Record 4 of 22

Reference Number	48539376
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	██████████
Consumer Middle Name	
Consumer Last Name	██████████
Consumer Address, Line 1	██████████
Consumer Address, Line 2	
Consumer Address, City	██████████
Consumer Address, City Cleansed	██████████

Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████████
Consumer Address, ZIP Code	██████
Consumer Address, ZIP Code Cleansed	██████
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████████
Company Name	Some "Security" company
Company Normalized Name	Some "Security" company
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	10:00:00
Other Information Comments	They called my cellphone (I have also previously received the same call on my landline). Told me there is a home breakin every x minutes, and they would install a security system for free if I allow them to place a sign in my yard.
Other Information Existing Business Relationship	No

Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No
Record 5 of 22	
Reference Number	48539500
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████████
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████████
Company Name	Unknown
Company Normalized Name	Unknown
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743

Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	10:00:00
Other Information Comments	It was a recorded message call to a cell phone. The message started with "The FBI reports a break in every..." Caller ID said "New York".
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No

Record 6 of 22

Reference Number	48541528
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	[REDACTED]
Consumer Middle Name	
Consumer Last Name	[REDACTED]
Consumer Address, Line 1	[REDACTED]
Consumer Address, Line 2	
Consumer Address, City	[REDACTED]
Consumer Address, City Cleansed	[REDACTED]
Consumer Address, State	[REDACTED]
Consumer Address, State Cleansed	[REDACTED]
Consumer Address, State Name	[REDACTED]
Consumer Address, ZIP	[REDACTED]

Code	[REDACTED]
Consumer Address, ZIP Code Cleansed	[REDACTED]
Consumer Address, ZIP Code Extension	[REDACTED]
Consumer Phone, Area Code	[REDACTED]
Consumer Phone, Number	[REDACTED]
Company Name	Owings M
Company Normalized Name	Owings M
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	23:00:00
Other Information Comments	
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No
Record 7 of 22	

Reference Number	48541613
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	[REDACTED]
Consumer Middle Name	
Consumer Last Name	[REDACTED]
Consumer Address, Line 1	[REDACTED]
Consumer Address, Line 2	
Consumer Address, City	[REDACTED]
Consumer Address, City Cleansed	[REDACTED]
Consumer Address, State	[REDACTED]
Consumer Address, State Cleansed	[REDACTED]
Consumer Address, State Name	[REDACTED]
Consumer Address, ZIP Code	[REDACTED]
Consumer Address, ZIP Code Cleansed	[REDACTED]
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	[REDACTED]
Consumer Phone, Number	[REDACTED]
Company Name	Home Security Services
Company Normalized Name	Home Security Services
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product	

Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	10:00:00
Other Information Comments	Arrgghhh!
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No

Record 8 of 22

Reference Number	48541781
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████████
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area	█

Code	█
Consumer Phone, Number	█
Company Name	Not Provided
Company Normalized Name	Not Provided
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	11:00:00
Other Information Comments	
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No
Record 9 of 22	
Reference Number	48541870
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	█
Consumer Middle Name	
Consumer Last Name	█

Consumer Address, Line 1	[REDACTED]
Consumer Address, Line 2	
Consumer Address, City	[REDACTED]
Consumer Address, City Cleansed	[REDACTED]
Consumer Address, State	[REDACTED]
Consumer Address, State Cleansed	[REDACTED]
Consumer Address, State Name	[REDACTED]
Consumer Address, ZIP Code	[REDACTED]
Consumer Address, ZIP Code Cleansed	[REDACTED]
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	[REDACTED]
Consumer Phone, Number	[REDACTED]
Company Name	FBI
Company Normalized Name	FBI
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	1
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information	09/13/2013

Transaction Date	09/19/2018
Other Information Transaction Time	11:00:00
Other Information Comments	They call constantly stating they work for the FBI and stating that there are many break-in's in the area. it is a recorded message they call both my home phone & now they are calling my cell phone different hours of the day. Very frustrating.
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	Yes
Record 10 of 22	
Reference Number	48542861
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████████
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████████
Company Name	not provided
Company Normalized Name	not provided

Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	11:00:00
Other Information Comments	This is an automated call about how the FBI is reporting that thefts occur ever so many minutes in the U.S. I don't stay on the call long enough to know what company they represent.
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No
Record 11 of 22	
Reference Number	48543425
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	

Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████
Company Name	Unknown - Some kind of home security
Company Normalized Name	Unknown - Some kind of home security
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	11:00:00
Other Information Comments	Recorded Message. Unable to request removal from their list.
Other Information Existing	

Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No
Record 12 of 22	
Reference Number	48544199
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	[REDACTED]
Consumer Middle Name	
Consumer Last Name	[REDACTED]
Consumer Address, Line 1	[REDACTED]
Consumer Address, Line 2	
Consumer Address, City	[REDACTED]
Consumer Address, City Cleansed	[REDACTED]
Consumer Address, State	[REDACTED]
Consumer Address, State Cleansed	[REDACTED]
Consumer Address, State Name	[REDACTED]
Consumer Address, ZIP Code	[REDACTED]
Consumer Address, ZIP Code Cleansed	[REDACTED]
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	[REDACTED]
Consumer Phone, Number	[REDACTED]
Company Name	Conversent Communications OF NEW York, LLC
Company Normalized Name	Conversent Communications OF NEW York, LLC
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347

Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	12:00:00
Other Information Comments	
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	Yes

Record 13 of 22

Reference Number	48544440
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	██████████
Consumer Middle Name	
Consumer Last Name	██████████
Consumer Address, Line 1	████████████████████
Consumer Address, Line 2	
Consumer Address, City	██████████
Consumer Address, City Cleansed	██████████
Consumer Address, State	██
Consumer Address, State Cleansed	██
Consumer Address, State Name	██████████

Consumer Address, ZIP Code	██████
Consumer Address, ZIP Code Cleansed	██████
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	████
Consumer Phone, Number	██████████
Company Name	Home Security Services
Company Normalized Name	Home Security Services
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	13:00:00
Other Information Comments	The automated message gave option of pushing "1" to be added to do not call, or be transferred to live operator. But I don't want to be bothered at all by automated solicitation. This is an office number. I entertained the call because I wanted to find out the identity of the seller. But the operator gave no additional identifying information rather, she took my first name and said I would receive a sales call within five minutes. The follow-up call (for purposes of identifying the perpetrator here) came from 817-768-2565. I didn't answer it.
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes

Other Information Requested Entity to Stop Calling	No
Record 14 of 22	
Reference Number	48544654
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	██████
Consumer Middle Name	
Consumer Last Name	██████
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	██
Consumer Address, State Cleansed	██
Consumer Address, State Name	██████████
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	██
Consumer Phone, Number	██████████
Company Name	some home security company
Company Normalized Name	some home security company
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013

Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	13:00:00
Other Information Comments	
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No

Record 15 of 22

Reference Number	48545009
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	█
Consumer Address, ZIP Code	
Consumer Address, ZIP	

Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████
Company Name	No name given
Company Normalized Name	No name given
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	12:00:00
Other Information Comments	
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	
Record 16 of 22	
Reference Number	48548277
Complaint Source	National Do Not Call Registry

Phone In Registry?	N
Consumer First Name	[REDACTED]
Consumer Middle Name	
Consumer Last Name	[REDACTED]
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	[REDACTED]
Consumer Address, State Cleansed	[REDACTED]
Consumer Address, State Name	[REDACTED]
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	[REDACTED]
Consumer Phone, Number	[REDACTED]
Company Name	don't know
Company Normalized Name	don't know
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information	

Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	14:00:00
Other Information Comments	this number called 3 times in quick succession to my cell. did reverse search on whitepages.com and came up with "number associated with spam" along with the number. When called back, a message just said if you would like your number added to the do not call list for this company, please press 1. did not identify the company. I pressed 1, but odd that it would just call my cell phone like that.
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No

Record 17 of 22

Reference Number	48548922
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	████
Consumer Middle Name	
Consumer Last Name	██████
Consumer Address, Line 1	████████████████████
Consumer Address, Line 2	
Consumer Address, City	██████
Consumer Address, City Cleansed	██████
Consumer Address, State	██
Consumer Address, State Cleansed	██
Consumer Address, State Name	██████████
Consumer Address, ZIP Code	████
Consumer Address, ZIP Code Cleansed	████
Consumer Address, ZIP Code Extension	
Consumer Phone Area	

Consumer Phone, Area Code	█
Consumer Phone, Number	█
Company Name	nknown
Company Normalized Name	nknown
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	00:00:00
Other Information Comments	Hang Ups On Voice Mail.
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	No
Record 18 of 22	
Reference Number	48549077
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	
Consumer Middle Name	

Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████████
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████
Company Name	Not Provided
Company Normalized Name	Not Provided
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web

Other Information Transaction Date	09/13/2013
Other Information Transaction Time	00:00:00
Other Information Comments	
Other Information Existing Business Relationship	
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	
Record 19 of 22	
Reference Number	48549260
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████████
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████████
Company Name	Home Security Solutions
Company Normalized Name	Home Security Solutions

Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	15:00:00
Other Information Comments	
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	Yes
Record 20 of 22	
Reference Number	48554151
Complaint Source	National Do Not Call Registry
Phone In Registry?	N
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	

Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████
Company Name	New York NY
Company Normalized Name	New York NY
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/12/2013
Other Information Transaction Time	22:00:00
Other Information Comments	
Other Information Existing	

Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	No
Other Information Requested Entity to Stop Calling	No
Record 21 of 22	
Reference Number	48556378
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████
Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████
Company Name	Not Provided
Company Normalized Name	Not Provided
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347

Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/13/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	Web
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	08:00:00
Other Information Comments	
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	Yes

Record 22 of 22

Reference Number	48561224
Complaint Source	National Do Not Call Registry
Phone In Registry?	Y
Consumer First Name	
Consumer Middle Name	
Consumer Last Name	Not Provided
Consumer Address, Line 1	
Consumer Address, Line 2	
Consumer Address, City	
Consumer Address, City Cleansed	
Consumer Address, State	█
Consumer Address, State Cleansed	█
Consumer Address, State Name	██████

Consumer Address, ZIP Code	
Consumer Address, ZIP Code Cleansed	
Consumer Address, ZIP Code Extension	
Consumer Phone, Area Code	█
Consumer Phone, Number	██████
Company Name	Not Provided
Company Normalized Name	Not Provided
Company State	NY
Company State Cleansed	NY
Company Phone, Country Code	
Company Phone, Area Code	347
Company Phone, Number	7752743
Other Information Created Date	09/13/2013
Other Information Complaint Date	09/13/2013
Other Information Load Date	09/15/2013
Other Information Product Service Description	National Do Not Call Registry
Other Information Organization	National Do Not Call Registry
Other Information Complaint Channel	IVR
Other Information Transaction Date	09/13/2013
Other Information Transaction Time	00:00:00
Other Information Comments	
Other Information Existing Business Relationship	No
Other Information Pre-Recorded Message	Yes
Other Information Requested Entity to Stop Calling	Yes

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 15 **Federal Trade Commission**

17 **UNITED STATES DISTRICT COURT**
 18 **CENTRAL DISTRICT OF CALIFORNIA**

19 **Federal Trade Commission,**

20 Plaintiff,

21 vs.

22 **James Christiano, et al.,**

23 Defendants.

No. 8:18-cv-00936 DOC (AGR_x)

**Declaration of Patrick McAlvanah in
 Support of Plaintiff FTC's
 Application for Default Judgment
 and Permanent Injunction Against
 Defendant World Connection USA,
 LLC**

Pursuant to 28 U.S.C. § 1746

27
 28

DECLARATION OF PATRICK MCALVANAH

I, Patrick McAlvanah, have personal knowledge of the facts and matters set forth below. If called as a witness, I could and would testify as follows:

1. I am an economist in the Consumer Protection Division of the Bureau of Economics of the Federal Trade Commission (FTC). I received a Ph.D. in Economics from Washington University in St. Louis in 2008. I have been working at the FTC in Washington, DC, since July 2008.

2. As part of my duties at the FTC, I am assigned to assist on matters with the Bureau of Consumer Protection (BCP). I am a full-time, salaried employee. I am not receiving any additional compensation for my report or my work on this case, and my performance is not evaluated based upon the conclusions I draw.

I. Calls Transferred to (925) 475-4723

3. FTC counsel requested that I extract records of calls routed to the phone number (925) 475-4723 from a set of call record data of more than 700 million calls provided by NetDotSolutions. The data provided by NetDotSolutions was contained in 12 folders, with dates ranging from 2015-06 through 2016-05. It is my understanding that each folder contained call records for one month. Each month's folder contained between 29 and 31 .CSV spreadsheets, with the exception of "2016-05-VINC000335-339" which contained five spreadsheets. It is my understanding that each spreadsheet contained all calls for a particular day of that month.

4. I identified the records of calls routed to (925) 475-4723 using Stata 14.1, a common statistical software package. In Stata, I wrote a script that opened each .CSV file and flagged entries that had the observation "cdr_tn1" = "19254754723." (According to NetDotSolutions, "cdr_tn1" is the field indicating the destination number for an outbound call.) In total, there were 205,279 calls to (925) 475-4723.

1 **II. +128 Calls**

2 5. I previously submitted a Declaration in *FTC v. Jones* dated April 10,
3 2017 (filed as ECF No. 79-11 in C.D. Cal. case number 8:17-cv-58-DOC). In that
4 Declaration, I described how I extracted a 1% random sample from the same set of
5 NetDotSolutions call records discussed above in paragraph 3. FTC counsel
6 instructed me to sample solely outbound calls. The 1% sample contained 7,096,173
7 observations. This sample is representative of the logs of more than 700 million
8 calls provided by NetDotSolutions.

9 6. FTC counsel requested that I analyze the 1% sample of outbound calls
10 as part of an investigation into caller ID spoofing. To test for spoofing frequency, I
11 calculated “cdr_tn2” minus “cdr_tn1,” which yields the difference between the two
12 phone numbers captured in each call record. (As noted above, “cdr_tn1” is the field
13 indicating the destination number for an outbound call; according to
14 NetDotSolutions, “cdr_tn2” is the field indicating the caller ID number for an
15 outbound call.)

16 7. In the 1% sample of the NetDotSolutions call records, the most
17 common difference between the caller ID number and the destination number was
18 128, which I refer to as “+128 calls.” For example, a +128 call to (714) 555-1000
19 would show a caller ID number of (714) 555-1128. In the 1% sample, there were
20 542,770 observations of +128 calls.

21 8. FTC counsel asked me to estimate the frequency of +128 calls that
22 occurred across the entire population of NetDotSolutions call records, restricted to
23 outbound calls. This estimate is based upon the statistical principles of a binomial
24 distribution, which permit projections about the frequencies of occurrence in a
25 larger set of data based upon observations within a smaller subset of that data. I
26 performed the following calculations in Stata 14.1, which applies the principles of
27 the binomial distribution to calculate a confidence interval given a specified
28 confidence level. This is a statistically sound method for calculating confidence

1 intervals of a variable with a binomial distribution and is widely used by people
2 with expertise in the field of statistics.

3 9. Applying the above methodology, my conclusion is based upon two-
4 sided confidence intervals for a binomial distribution. Stata constructs the
5 confidence interval to be sufficiently wide such that, with repeated sampling, there
6 is a 99.9% probability that the true frequency of occurrence is within the reported
7 range.

8 10. Based upon my analysis, +128 calls occurred in 542,770 instances out
9 of the 7,096,173 sampled call records. This implies a 7.65% incidence rate for this
10 sample. The 99.9% confidence interval for +128 calls, for outbound calls, is 7.62%
11 to 7.68%. Projecting the results of the 1% sample to an assumed population size of
12 709,617,300 outbound calls implies a 99.9% confidence interval of 54,044,312 to
13 54,510,317 calls made using +128 spoofing.

14
15 I declare under penalty of perjury that the foregoing is true and correct.

16
17 Dated: December 13, 2018
18 Washington, D.C.



Patrick McAlvanah

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14 **Attorneys for Plaintiff**
 15 **Federal Trade Commission**

17 **UNITED STATES DISTRICT COURT**
 18 **CENTRAL DISTRICT OF CALIFORNIA**

19 **Federal Trade Commission,**

20 Plaintiff,

21 vs.

22 **James Christiano, et al.,**

23 Defendants.

No. 8:18-cv-00936 DOC (AGR_x)

**Declaration of James Evans in
 Support of Plaintiff FTC's
 Application for Default Judgment
 and Permanent Injunction Against
 Defendant World Connection USA,
 LLC**

Pursuant to Local Rule 55-1 and
 28 U.S.C. § 1746

28

DECLARATION OF JAMES EVANS

I, James Evans, have personal knowledge of the facts and matters set forth below. If called as a witness, I could and would testify as follows:

1. I am one of the attorneys representing the Federal Trade Commission (“FTC”) in the above-captioned law enforcement action. My business address is 600 Pennsylvania Avenue NW, CC-8528, Washington, DC 20580.

2. I am over twenty-one years old and a United States citizen. I am a member in good standing of the Virginia State Bar (Bar No. 83866), and am admitted to practice before the United States District Court for the Eastern District of Virginia. I represent the FTC in the United States District Court for the Central District of California *pro hac vice* (Docket Nos. 6 & 10).

3. The Clerk entered default against Defendant World Connection USA, LLC (“WC-USA”) on July 5, 2018 (Docket No. 34).

4. The Clerk entered default against Defendant WC-USA for its failure to respond to the FTC’s Complaint (Docket No. 1).

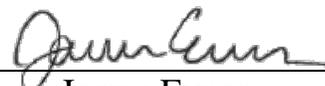
5. The defaulting party, Defendant WC-USA, is a California limited liability company, and is therefore not an infant or incompetent person.

6. The Servicemembers Civil Relief Act, 50 U.S.C. App. § 521, does not apply.

7. Defendant WC-USA has not appeared in this action, and therefore service of the FTC’s Application for Default Judgment against it is not required. Fed. R. Civ. P. 5(a)(2), 55(b)(2).

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

Dated: December 26, 2018
Washington, D.C.


James Evans

DECLARATION OF JUSTIN TRENT

PURSUANT TO 28 U.S.C. § 1747

I, Justin Trent, hereby state that I have personal knowledge of the facts set forth below. If called as a witness, I could and would testify as follows:

1. I am a United States citizen over the age of 18. I reside in Henrico, Virginia.

2. On April 8, 2016 at 11:30 AM, while at work, I received a telemarketing sales call delivering a pre-recorded message asking if I was interested in a home security system. At the time, I worked at a law firm named McGuire Woods in Richmond, Virginia. I answered the call because the Caller ID displayed for the call showed that the call was from another McGuire Woods extension. The Caller ID name displayed was "MCGUIRE WOODS," and the Caller ID number displayed was 804-775-4856. At that time, all of the telephone extensions for McGuire Woods' Richmond, Virginia office were in the format of 804-775-xxxx. Later on April 8, 2016, I took a photograph of information displayed on my telephone pertaining to that call. A true and accurate copy of that photograph is attached hereto as **Exhibit A**.

3. When I picked up the phone, I heard a pre-recorded message instructing me to press a number for more information, which I did. I was not interested in a home security system from this company, but I wanted to learn the identity of the telemarketer or seller placing the call. It appeared to me that the caller had spoofed their Caller ID information to make it appear as if the call came from one of my colleagues. I pressed the number indicated to continue with the call in order to obtain more information.

4. As soon as I pressed the number indicated, I was connected with a sales representative who said that his name was "Carlos" and that he worked for "Home Security Services." Carlos asked if I was a homeowner and if I had a home security system. I told Carlos that I did own a home and that I did not have a home security system. Carlos then told me that I

was qualified and said he would like to connect me with a specialist. I agreed, and Carlos connected me with a sales representative who identified himself as “Tim.” For a moment, I was on the phone with both Carlos and Tim. Carlos verified that Tim picked up, and then he dropped off the call.

5. Tim identified himself as an employee of Alliance Security, provided the company website as alliancesecurity.com, and provided his contact number as 877-746-2559, extension 4261.

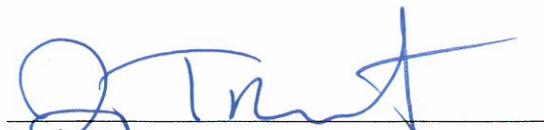
6. I began asking Tim questions about the relationship between Alliance Security and Carlos, at which time Tim connected me with his manager, “Anthony.” Tim and Anthony told me that Carlos worked for a third-party lead provider, but they denied having any information about the identity of that lead provider. Instead, Anthony transferred me to Tracy Berman in Alliance’s legal department.

7. Tracy Berman did not answer the phone, but I left her a voicemail. Ms. Berman never returned my call.

8. The entire call lasted over seventeen minutes, and I was never disconnected and never hung up. From the moment I received the pre-recorded message marketing a home security system that displayed a spoofed Caller ID name and number until the time I left Tracy Berman a voicemail, I remained on one, continuous telephone call.

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

Executed on September 2, 2016 in Henrico, Virginia


Justin Trent



Cisco



12:02p 04/08/16

8047754728

Call Details

From MCGUIRE WOODS (980477
54856)

Alternate 98047754856

To Trent, Justin F - 14728

Today at 11:30:56a

Duration 00:17:51



View Call Details

Exit

2
ABC

3
DEF

5

6

messages



Exhibit DJ 4
Trent Dec.

In the Matter of:

Allorey, Inc.

October 19, 2016
Houston Fraley

Condensed Transcript with Word Index



For The Record, Inc.
(301) 870-8025 - www.ftrinc.net - (800) 921-5555

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1 FEDERAL TRADE COMMISSION
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3
4
5 INVESTIGATIONAL HEARING)
6 RE: ALLOREY, INC.) Matter No. 1523152
7 _____)
8
9
10 Wednesday, October 19, 2016
11
12
13 Ronald Reagan Federal Building and
14 U.S. Courthouse
15 411 West Fourth Street
16 Room 9031
17 Santa Ana, California 92701
18
19
20 The above-entitled matter came on for
21 investigational hearing, pursuant to notice, at
22 9:08 a.m.
23
24
25

73

1 APPEARANCES:
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19
20 ON BEHALF OF THE WITNESS:
21 (PRO SE)
22 HOUSTON FRALEY
23 _____
24 Irvine, California _____
25 _____

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1 FEDERAL TRADE COMMISSION
2 I N D E X
3
4 WITNESS: EXAMINATION:
5 HOUSTON FRALEY
6 BY MR. EVANS 79
7
8
9 EXHIBITS DESCRIPTION FOR ID
10 Number 61 Civil Investigative Demand 79
11 Number 218 E-mail dated 8/20/13, 9:40:05 PM 259
12 Number 232 E-mail chain dated 6/16/15, 11:29:02 282
13 Number 236 E-mail chain dated 4/17/13, 11:36:18 252
14 Number 255 E-mail chain dated 9/13/11, 207
15 4:23:42 PM
16 Number 318 Stipulated Final Order for Permanent 84
17 Injunction and Civil Penalty Judgment
18 as to Defendant Houston Fraley
19 Number 319 FTC Telemarketing Sales Rule 16 CFR 84
20 Part 310
21 Number 320 E-mail chain dated 10/26/11, 212
22 12:40:06 PM
23 Number 321 E-mail chain dated 11/17/11, 13:18:21 232
24 Number 322 E-mail chain dated 4/11/12, 235
25 3:50:01 AM

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1 FEDERAL TRADE COMMISSION
2 I N D E X
3 (Continued)
4
5 EXHIBITS DESCRIPTION FOR ID
6 Number 323 E-mail chain dated 6/12/12, 242
7 4:47:57 PM
8 Number 324 E-mail chain dated 7/9/12, 14:09:11 246
9
10 Number 325 E-mail chain dated 4/17/13, 14:01:50 256
11 Number 326 E-mail dated 6/16/14, 8:07:40 PM, 261
12 with attachment
13
14 Number 327 E-mail chain dated 4/28/15, 278
15 10:49:14 AM
16 Number 328 E-mail chain dated 4/8/11, 14:01:10 292
17 Number 329 Three e-mails/e-mail chains 296
18 referencing opt in records
19 Number 330 E-mail dated 10/1/12, 8:13:52 PM 301
20
21
22
23
24
25

PROCEEDINGS

Whereupon--

HOUSTON FRALEY

a witness, called for examination, having been first duly sworn, was examined and testified as follows:

MR. EVANS: Okay. As we get started, Mr. Barlow is the hearing officer and will read a preamble required by the FTC rules.

MR. BARLOW: Good morning, Mr. Fraley. You just swore to the oath a moment ago?

THE WITNESS: Uh-huh. Yes, sir.

MR. BARLOW: And spell your name for me.

THE WITNESS: H-o-u-s-t-o-n, F-r-a-l-e-y.

MR. BARLOW: Okay. What's your date of birth?

THE WITNESS: [REDACTED]/1977.

MR. BARLOW: Okay. So, Mr. Fraley, this is the continued investigational hearing of Houston Fraley. Today's session continues the investigational hearing first convened on September 22, 2015.

This investigation hearing is convened at 9:08 a.m. on October 19, 2016, at the Ronald Reagan Federal Building and U.S. Courthouse, 411 West Fourth Street in Santa Ana, California.

Appearing for the Federal Trade Commission,

myself -- I am Ian Barlow, and I am the hearing officer today -- and James Evans as the Commission counsel.

Mr. Fraley is not represented by counsel today.

As noted when this investigational hearing was originally convened, this proceeding is in relation to a nonpublic Commission investigation to determine whether certain telemarketers, sellers, or others assisting them have engaged in, or are engaging in, unfair deceptive acts or practices in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, 15 USC Section 45, as amended, and/or, two, deceptive or abusive telemarketing acts or practices in violation of the Commission's Telemarketing Sales Rule, 16 CFR Part 310, as amended, including, but not limited to, the provision of substantial assistance or support to telemarketers engaged in unlawful practices.

The procedures which will be followed in this investigational hearing are outlined in the Commission's Rules of Practice, specifically Part 2, Nonadjudicated Procedures, Subpart A, which pertain to investigations and investigational hearings, beginning with Section 2.1 through 2.14.

I would like to draw -- to draw your attention particularly to Section 2.9 of the Commission's rules, which provides that any person compelled to appear and

testify or produce documentary evidence may be accompanied, represented, and advised by counsel according to Federal Trade Commission rules.

Representation by counsel in this hearing would be in accordance with those rules as prescribed by Section 2.9, Subparts B1 through 6.

Mr. Fraley, you understand you have the right to an attorney today if you had chosen --

THE WITNESS: Yes, sir.

MR. BARLOW: -- one correct?

THE WITNESS: Yes, sir.

MR. BARLOW: But you want to go forward anyway with that --

THE WITNESS: Yes.

MR. BARLOW: -- understood?

I would like -- the purpose of this proceeding is to receive testimony under a Civil Investigative Demand duly served on Mr. Fraley. This CID was authorized and is issued pursuant to the Federal Trade Commission Resolution in File No. 012 3145, dated April 11, 2011.

In order to facilitate reference during this hearing, I have asked Commission counsel to place into the record as a Commission exhibit a copy of the CID, including the Commission's Resolution and the attached

specifications.

With those announcements made, I will turn this proceeding over to Mr. Evans.

Off the record.

(An off-the-record discussion was held.)

EXAMINATION

BY MR. EVANS:

Q Okay. Good morning, Mr. Fraley.

And as Mr. Barlow mentioned, you are here further to a Civil Investigative Demand issued by the FTC on August 27, 2015; is that correct?

A Correct.

Q So this has been actually previously marked in a previous investigational hearing as Exhibit 61. You know what? I'll just write on here. I'll show you this.

(Whereupon, the document referred to was marked Exhibit 61 for identification.)

BY MR. EVANS:

Q And that is the Civil Investigative Demand that convened this investigational hearing; correct?

A Yes.

Q Or at least convened it on September 22, and we're continuing that today; is that correct?

A Yes, sir.

1 A Correct.
 2 **Q And how did Justin Ramsey get set up with**
 3 **Alliance Security?**
 4 A I don't know that.
 5 **Q How did Mike bring that company in?**
 6 A He -- I think he worked with Justin on getting
 7 it set up so we could do leads for them.
 8 **Q And opening the company Secure Alliance?**
 9 A That might have been Eric and Richard helped
 10 with that. I think Richard -- anything to do with
 11 companies after Richard was in his role, kind of came
 12 from Richard.
 13 **Q So Richard managed all of the -- the opening**
 14 **and closing of companies?**
 15 A Correct.
 16 **Q Now, that name is not a coincidence; right?**
 17 **Secure Alliance --**
 18 A No.
 19 **Q -- was named because it was working with**
 20 **Alliance Security; right?**
 21 A I'm guessing. I don't know who named that.
 22 But that's -- that's a pretty good assumption.
 23 **Q Okay.**
 24 MR. BARLOW: Secure Alliance operated in order
 25 to provide leads to Alliance --

1 THE WITNESS: Security.
 2 MR. BARLOW: -- Security; right?
 3 THE WITNESS: Yes. Yes. I don't know who
 4 named it, but that's exactly what happened.
 5 BY MR. EVANS:
 6 **Q Did it do any other work?**
 7 A No.
 8 **Q Did it have any role in securing caller ID**
 9 **numbers?**
 10 A I don't know. But I probably would say if
 11 Tyler had something to do with it, it probably had to.
 12 Because I know he used to get caller ID's.
 13 **Q So between when Savilo stopped its call center**
 14 **activities and Secure Alliance started, were there call**
 15 **center activities still going on?**
 16 A I'm sorry. Could you repeat that?
 17 **Q Yeah. You said there was a gap of time --**
 18 A Correct.
 19 **Q -- between when Savilo stopped and Secure**
 20 **Alliance started --**
 21 A Uh-huh.
 22 **Q -- is that right?**
 23 A Uh-huh.
 24 **Q What was -- what call center activities**
 25 **happened during that period of time?**

1 A During the gap?
 2 **Q Yeah.**
 3 A I don't think anything, because we wanted to
 4 focus on Local Lighthouse. And then -- and then when we
 5 did start back up again, that's when they used
 6 Guatemala.
 7 **Q And what did they sell out of Guatemala?**
 8 A They did security as well.
 9 **Q Anything else?**
 10 A I think there was a period of time where we
 11 might have did warranty for a little bit.
 12 **Q Okay.**
 13 MR. BARLOW: Auto warranty?
 14 THE WITNESS: Auto warranty. Sorry. Yes.
 15 BY MR. EVANS:
 16 **Q What company name was that under?**
 17 A Secure Alliance.
 18 **Q Okay. So Secure Alliance did have some call**
 19 **center activities in California or no?**
 20 A No.
 21 **Q It was all through Guatemala?**
 22 A That was Guatemala. We -- we had some in
 23 California. When we started the Guatemala, then we
 24 didn't have any more in California.
 25 **Q And what was the name of the Guatemala call**

1 **center?**
 2 A World Connection.
 3 **Q Who owned World Connection?**
 4 A Andy Salisbury.
 5 **Q And who paid World Connection for the services**
 6 **they were providing?**
 7 A I'm trying to think if they paid us and we paid
 8 them or if they paid them and they paid us. So I'm not
 9 really sure. I think it went both ways.
 10 **Q Okay.**
 11 A At some point it had gone both ways, I believe.
 12 **Q Money moved both ways at various times?**
 13 A Yes.
 14 MR. BARLOW: Let me ask. Ultimately, the money
 15 that went to Secure Alliance or World Connection came
 16 from providing leads to Alliance Security; right?
 17 THE WITNESS: Yes, sir.
 18 MR. BARLOW: And Alliance Security is in Rhode
 19 Island.
 20 THE WITNESS: Yes, sir.
 21 MR. BARLOW: And it's owned by Jay Gotra?
 22 THE WITNESS: Yes.
 23 MR. BARLOW: Okay. And that company ultimately
 24 funded both Secure Alliance and World Connection; is
 25 that right?

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1 THE WITNESS: Correct.
 2 MR. BARLOW: And whether it went from Alliance
 3 to Secure Alliance and then World Connection?
 4 THE WITNESS: Correct.
 5 MR. BARLOW: And sometimes it went Alliance,
 6 World Connection, Secure Alliance?
 7 THE WITNESS: Yes, sir.
 8 MR. BARLOW: Got it.
 9 MR. EVANS: Makes sense.
 10 MR. BARLOW: Okay.
 11 MR. EVANS: About as much sense as anything
 12 else.
 13 THE WITNESS: I'm trying to remember all the
 14 little intricate pieces, and I hope I'm doing okay for
 15 you guys.
 16 BY MR. EVANS:
 17 **Q This is really helpful.**
 18 MR. BARLOW: Yeah. Extraordinarily helpful.
 19 BY MR. EVANS:
 20 **Q What what's Justin Ramsey's role in that**
 21 **operation?**
 22 A I didn't really talk to him a whole lot back
 23 then. I think he just kind of set the introduction up
 24 with Alliance Security.
 25 **Q Did he make money off this as well?**

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1 A I honestly don't know. He may have made some
 2 off Mike with that. But as far as I know, I don't know
 3 if we after paid him from Secure Alliance -- or I'm
 4 sorry -- Alliance Security.
 5 **Q What -- what were they actually doing down in**
 6 **Guatemala?**
 7 A They would screen -- they would create leads
 8 for Alliance, Alliance Security.
 9 **Q And how did calls come into Guatemala?**
 10 A They did -- they did robocalls.
 11 **Q Through TelWeb?**
 12 A Yes.
 13 **Q Who managed that?**
 14 A I think Eric did some, and I think I -- I did a
 15 little bit.
 16 **Q Of running the dialer?**
 17 A And Tyler might have done some, too. It was
 18 kind of weird. It was kind of like whoever -- if Eric
 19 was there, he did most of it, or if he was out, then
 20 Tyler would do it, or they would ask me to do it. Yeah.
 21 **Q And how did the leads get from Guatemala to**
 22 **Rhode Island?**
 23 A They would do a -- how did we do it? I think
 24 we put them into a system. We put them into a system,
 25 and I think they called them back.

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1 **Q Are you familiar with the term "hot transfer"**
 2 **or "warm transfer"?**
 3 A Yeah, warm transfer. I think they did that,
 4 too.
 5 **Q They did that, too?**
 6 A I think they did that, too. Yeah.
 7 **Q But the first thing you were describing is more**
 8 **of a cold transfer?**
 9 A I think there was a point where it was just --
 10 that they would disconnect the phone and they would put
 11 it into a system and it would post into their system and
 12 they would call it back.
 13 **Q But they also later on did warm or hot --**
 14 A Warm transfers. Uh-huh.
 15 **Q And that's where the person in Guatemala hands**
 16 **off a live call to someone in -- or someone working for**
 17 **Alliance to further the sale?**
 18 A Yes, sir. So if I was an agent in Guatemala, I
 19 would do the information and make sure it qualified.
 20 And then if you're a person, for example, at Alliance
 21 Security, I would transfer the call to you.
 22 **Q So let me just summarize the ecosystem of this**
 23 **whole thing. TelWeb in Orange County makes robocalls to**
 24 **people across the United States, and the message plays**
 25 **and says, "If you're interested in a home security**

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1 **system, press one."**
 2 **So far I'm right?**
 3 A Basically. Yes, sir.
 4 **Q And the customer presses one, and they are**
 5 **immediately connected to a qualifier in World Connection**
 6 **in Guatemala; right?**
 7 A Yes.
 8 **Q Owned by Andy Salisbury?**
 9 A Yes.
 10 **Q And that person interviews them a little bit to**
 11 **find out if they own their own home and are interested**
 12 **in a security system; is that right?**
 13 A Yes.
 14 **Q And then depending on the period of time or the**
 15 **arrangement, the Guatemala call center employee either**
 16 **enters the information into a database and the consumer**
 17 **gets a call back from Alliance, or the call is hot**
 18 **transferred to Alliance to complete the sale; is that**
 19 **right?**
 20 A Yes.
 21 **Q And what happens after that to that customer?**
 22 A Then Alliance would either bring them on as a
 23 client or they wouldn't get the sale.
 24 **Q And how did Alliance pay for that service? Was**
 25 **it per lead or per sale?**

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1 MR. BARLOW: And for the record, that was a
 2 file number that we have in our records as 254143. And
 3 that message said, hi, this is John from the debt
 4 department.
 5 But that was actually Justin Ramsey?
 6 THE WITNESS: Yes, it was.
 7 MR. BARLOW: Okay.
 8 MR. EVANS: Should you put where it came from,
 9 what it was attached to, Bates number?
 10 MR. BARLOW: Can we go off the record for a
 11 minute?
 12 (An off-the-record discussion was held.)
 13 MR. EVANS: Go back on the record.
 14 MR. BARLOW: Yes. Go back on the record.
 15 (Prerecorded message was played as follows:)
 16 "Congratulations. You have been approved for a
 17 free wireless in-home security system. Press one now to
 18 find out more. Once again, press one now to find out
 19 more. Thank you."
 20 MR. BARLOW: And, Mr. Fraley, is that, again,
 21 Justin Ramsey's voice?
 22 THE WITNESS: Yes, it is.
 23 MR. BARLOW: And that was, for our reference
 24 file, file name 263524.wav.
 25 I'll play another here.

333

1 (Prerecorded message was played as follows:)
 2 "Attention. This is not a sales call. There
 3 has been a rise in crime around your neighborhood, or
 4 you have been referred by a friend or a neighbor, and
 5 you are eligible to receive a free wireless home
 6 security system. There is no cost for equipment or
 7 installation, and the system is monitored 24 hours a day
 8 by your local police, fire, and medical. You must be a
 9 home owner to take advantage of this special offer. If
 10 you are interested in having this system installed at no
 11 cost to you, then press one now. Once again, press one
 12 now. Otherwise, press two to be removed from our
 13 calling list. Thank you, and have a nice day."
 14 MR. BARLOW: And, Mr. Fraley, was that message,
 15 again, Justin Ramsey?
 16 THE WITNESS: Yes, it was.
 17 MR. BARLOW: And that was 270275.wav.
 18 And this will be 314557.wav. And I probably
 19 won't play the entirety of the message. So if you could
 20 signal just by raising your hand or something if you
 21 have --
 22 THE WITNESS: Sure.
 23 MR. BARLOW: -- heard enough to identify the
 24 speaker.
 25 (Prerecorded message was played as follows:)

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1 "Attention. This is not a sales call. There
 2 has been a rise in crime around your --"
 3 MR. BARLOW: And you listened a sufficient
 4 length of time to identify the speaker in that message?
 5 THE WITNESS: Yes.
 6 MR. BARLOW: Who is it?
 7 THE WITNESS: Justin Ramsey.
 8 MR. BARLOW: Okay. And that was 314557.wav.
 9 I'll do -- I'll do one more here. This will be
 10 398763.wav.
 11 (Prerecorded message was played as follows:)
 12 "Do not hang up. This is not a sales call.
 13 There has been a home burglary reported in your area, or
 14 you have been referred by a friend or neighbor --"
 15 MR. BARLOW: Okay. Did you listen to enough --
 16 THE WITNESS: Yes.
 17 MR. BARLOW: -- to identify the speaker there?
 18 THE WITNESS: Yes, I did.
 19 MR. BARLOW: And, again, who was it?
 20 THE WITNESS: Justin Ramsey.
 21 MR. BARLOW: All right.
 22 And did I say the file number?
 23 MR. EVANS: Yes. Say it again if you want.
 24 MR. BARLOW: And that was -- can I get a read
 25 back? Did I read the file number?

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1 (Record read.)
 2 MR. BARLOW: Okay. We're good.
 3 Do you want me to run down to the lobby?
 4 MR. EVANS: We're still on the record.
 5 So with that -- with that, we are prepared to
 6 close the investigational hearing. I want to thank you
 7 again for coming in, being so forthright. And this has
 8 been really helpful, you know. We have been
 9 investigating for a year, and we're still always
 10 surprised to hear some new information from people.
 11 So thanks again for your time. Thanks for
 12 signing the settlement. And we'll keep you up to date
 13 as that progresses.
 14 And so with that, we'll -- unless there's
 15 anything else you want to put on the record to -- you
 16 know, this may be viewed by courts, opposing parties.
 17 Is there anything else you want the world to know about
 18 this dialing enterprise and your work with it?
 19 THE WITNESS: No.
 20 MR. EVANS: Okay. Thank you, Mr. Fraley.
 21 We'll go off the record.
 22 (Proceedings concluded at 2:02 p.m.)
 23 * * *
 24
 25

1 ERRATA SHEET
 2
 3 Page ____ Line ____ Reason for change:
 4 _____
 5 Page ____ Line ____ Reason for change:
 6 _____
 7 Page ____ Line ____ Reason for change:
 8 _____
 9 Page ____ Line ____ Reason for change:
 10 _____
 11 Page ____ Line ____ Reason for change:
 12 _____
 13 Page ____ Line ____ Reason for change:
 14 _____
 15 Page ____ Line ____ Reason for change:
 16 _____
 17 Page ____ Line ____ Reason for change:
 18 _____
 19 Page ____ Line ____ Reason for change:
 20 _____
 21 Page ____ Line ____ Reason for change:
 22 _____
 23
 24 _____
 25 HOUSTON FRALEY

1 STATE OF CALIFORNIA)
 2 : ss.
 3 COUNTY OF ORANGE)
 4 I, the undersigned, a Certified Shorthand
 5 Reporter of the State of California, do hereby certify:
 6 That the foregoing proceedings were taken
 7 before me at the time and place herein set forth; that
 8 any witnesses in the foregoing proceedings, prior to
 9 testifying, were placed under oath; that a verbatim
 10 record of the proceedings was made by me using machine
 11 shorthand which was thereafter transcribed under my
 12 direction; further, that the foregoing is an accurate
 13 transcription thereof.
 14 I further certify that I am neither financially
 15 interested in the action nor a relative or employee of
 16 any attorney of any of the parties.
 17 IN WITNESS WHEREOF, I have this date subscribed
 18 my name.
 19
 20 Dated: _____
 21
 22
 23 _____
 24 DARCY A. MILANOWSKI, CSR
 25 Certificate No. 8582

1 DECLARATION UNDER PENALTY OF PERJURY
 2
 3
 4 I do hereby declare under penalty of perjury
 5 that I have read the foregoing transcript; that I have
 6 made any corrections, additions, or changes as appear
 7 noted; that my testimony as contained herein, as
 8 corrected, is true and correct.
 9 In witness thereof, I hereby subscribe my name
 10 this _____ day of _____, 20_____,
 11 at _____,
 12 (City) (State)
 13
 14 _____
 15 HOUSTON FRALEY
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

In the Matter of:

Allorey, Inc.

August 18, 2016

Richard Paik

Vol. 2

Condensed Transcript with Word Index



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99	<p>1 FEDERAL TRADE COMMISSION</p> <p>2</p> <p>3</p> <p>4 In Re:)</p> <p>5 Allorey, Incorporated.)</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11 Thursday, August 18, 2016</p> <p>12</p> <p>13 333 South Hope Street</p> <p>14 43rd Floor</p> <p>15 Los Angeles, California</p> <p>16</p> <p>17</p> <p>18 The above-entitled matter came on for</p> <p>19 investigational hearing, pursuant to Notice,</p> <p>20 at 9:34 a.m.</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	101	<p>1 I N D E X</p> <p>2</p> <p>3 WITNESS EXAMINATION PAGE</p> <p>4 Richard Paik By Mr. Evans 106</p> <p>5 By Mr. Barlow 226</p> <p>6 Afternoon Session By Mr. Evans 230, 315, 226</p> <p>7 By Mr. Barlow 309, 319</p> <p>8</p> <p>9 DEPOSITION EXHIBITS INITIAL REFERENCE</p> <p>10 FTC's Exhibit Number 82 107</p> <p>11 FTC's Exhibit Number 230 107</p> <p>12 FTC's Exhibit Number 231 123</p> <p>13 FTC's Exhibit Number 151 200</p> <p>14 FTC's Exhibit Number 129 211</p> <p>15 FTC's Exhibit Number 232 221</p> <p>16 FTC's Exhibit Number 128 239</p> <p>17 FTC's Exhibit Number 233 240</p> <p>18 FTC's Exhibit Number 234 244</p> <p>19 FTC's Exhibit Number 126 247</p> <p>20 FTC's Exhibit Number 219 256</p> <p>21 FTC's Exhibit Number 220 261</p> <p>22 FTC's Exhibit Number 57 262</p> <p>23 FTC's Exhibit Number 235 267</p> <p>24 FTC's Exhibit Number 236 236</p> <p>25 FTC's Exhibit Number 93 296</p>
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100	<p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 For the Federal U.S. FEDERAL TRADE COMMISSION</p> <p>4 Trade Commission: JAMES EVANS, ESQ.</p> <p>5 (Via Videoconference)</p> <p>6 400 7th Street</p> <p>7 Washington, D.C. 20024</p> <p>8 (202) 326-2026</p> <p>9 james.evans@ftc.gov</p> <p>10 U.S. FEDERAL TRADE COMMISSION</p> <p>11 IAN BARLOW, HEARING OFFICER</p> <p>12 (Via Videoconference)</p> <p>13 400 7th Street</p> <p>14 Washington, D.C. 20024</p> <p>15 (202) 326-2222</p> <p>16 ian.barlow@ftc.gov</p> <p>17</p> <p>18 For the Witness SHEPPARD, MULLIN, RICHTER &</p> <p>19 and the Defendants: HAMPTON, LLP</p> <p>20 CHARLES KREINDLER, ESQ.</p> <p>21 333 South Hope Street</p> <p>22 43rd Floor</p> <p>23 Los Angeles, California 90071</p> <p>24 (213) 620-1780</p> <p>25 ckreindler@sheppardmullin.com</p>	102	<p>1 DEPOSITION EXHIBITS INITIAL REFERENCE</p> <p>2 (Continued)</p> <p>3 FTC's Exhibit Number 141 300</p> <p>4 FTC's Exhibit Number 237 304</p> <p>5 FTC's Exhibit Number 238 305</p> <p>6 FTC's Exhibit Number 239 320</p> <p>7 FTC's Exhibit Number 240 322</p> <p>8 FTC's Exhibit Number 241 325</p> <p>9 FTC's Exhibit Number 242 328</p> <p>10 FTC's Exhibit Number 243 333</p> <p>11 FTC's Exhibit Number 244 337</p> <p>12 FTC's Exhibit Number 245 339</p> <p>13 FTC's Exhibit Number 246 343</p> <p>14 FTC's Exhibit Number 247 345</p> <p>15</p> <p>16</p> <p>17 INFORMATION REQUESTED</p> <p>18 None.</p> <p>19</p> <p>20</p> <p>21 QUESTIONS INSTRUCTED NOT TO ANSWER</p> <p>22 None.</p> <p>23</p> <p>24</p> <p>25</p>
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1 LOS ANGELES, CALIFORNIA; THURSDAY, AUGUST 18, 2016
 2 9:34 A.M.
 3
 4 RICHARD PAIK,
 5 called as a witness by the Federal
 6 Trade Commission, was duly sworn.
 7
 8 MR. BARLOW: All right. Good morning. This
 9 is the continued investigational hearing of Richard
 10 Paik, P-a-i-k. Today's session continues the
 11 investigation hearing. The original convened on
 12 September 24th, 2015. This investigational hearing
 13 is convened at 9:00 o'clock a.m. Pacific time, noon
 14 Eastern time. It's actually 12:07 Eastern time,
 15 9:07 a.m., Pacific. The witness, Mr. Paik, his
 16 counsel, and the court reporter are at the
 17 Los Angeles office of Sheppard Mullin, at
 18 333 South Hope Street, 43rd Floor, Los Angeles,
 19 California, and counsel for the Federal Trade
 20 Commission are at the Washington, D.C., office of
 21 the Federal Trade Commission in the Constitution
 22 Center Building, 400 7th Street Southwest,
 23 Washington, D.C. Appearing for the Federal Trade
 24 Commission, myself, Ian Barlow, appearing as the
 25 Hearing Officer, and James Evans, as Commission

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1 Counsel. Appearing for Mr. Paik is Charles
 2 Kreindler of Sheppard Mullin.
 3 As noted when this investigational hearing
 4 originally convened, this proceeding is in relation
 5 to a nonpublic Commission investigation to determine
 6 whether certain telemarketers, sellers, or others
 7 assisting them have engaged in or are engaging in:
 8 1, unfair deceptive acts or practices in or
 9 affecting commerce in violation of Section 5 of the
 10 Federal Trade Commission Act, 15 U.S.C. Section 45,
 11 as amended, and/or 2, deceptive or abusive
 12 telemarketing acts or practices in violation of the
 13 Commission's Telemarketing Sales Rule, 16 C.F.R.,
 14 Part 310, as amended, including but not limited to
 15 the provision of substantial assistance or support
 16 to telemarketers engaged in unlawful practices.
 17 The procedures which will be followed in
 18 this investigational hearing are outlined in the
 19 Commission's Rules of Practice, specifically Part 2,
 20 non-adjudicative procedures, Subpart A, which
 21 pertain to investigations and investigational
 22 hearings, beginning with Section 2.1 through 2.14.
 23 I would like to draw your attention
 24 particularly to Section 2.9 of the Commission's
 25 rules, which provides that any person compelled to

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1 appear and testify or produce documents here as
 2 evidence may be accompanied, represented, and
 3 advised by counsel, according to Federal Trade
 4 Commission rules.
 5 Representation by counsel in this hearing
 6 will be in accordance with those rules, as
 7 prescribed by Section 2.9, Subparts B1 through B6.
 8 The purpose of this proceeding is to receive
 9 testimony under Civil Investigative Demand duly
 10 served on Mr. Paik, as modified by a letter from
 11 Lois Greisman, Associate Director of the Division of
 12 Marketing Practices. This CID was authorized and
 13 issued pursuant to the Federal Trade Commission
 14 Resolution in File Number 0123145, dated April 11,
 15 2011.
 16 In order to facilitate reference during this
 17 hearing, I've requested Commission Counsel to place
 18 into the record as Commission exhibits copies of the
 19 CID, including the Commission's resolution, any
 20 facts, specifications, as well as the modification
 21 letter.
 22 With those announcements made, I will turn
 23 this proceeding over to Commission Counsel James
 24 Evans.
 25

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1 EXAMINATION
 2 BY MR. EVANS:
 3 **Q. Okay. Good morning, Mr. Paik. Thank you**
 4 **for being here today. My name is James Evans. I'm**
 5 **an attorney with the Federal Trade Commission. We**
 6 **met last September. And this is my colleague, Ian**
 7 **Barlow.**
 8 **Can you all hear me all right?**
 9 A. Yes.
 10 **Q. Okay, great. And I can hear you. And we**
 11 **appreciate your flexibility doing this by video.**
 12 **If you could please state your full name for**
 13 **the record.**
 14 A. Richard Paik.
 15 **Q. Do you have a middle name?**
 16 A. Yes. Sang. Richard Sang Paik.
 17 **Q. Okay. And can you spell your middle name.**
 18 A. S-a-n-g.
 19 **Q. Thank you.**
 20 **And would Counsel please identify themselves**
 21 **for the record.**
 22 MR. KREINDLER: Yeah. Chuck Kreindler,
 23 Sheppard Mullin, representing Mr. Paik.
 24 MR. EVANS: Thank you.
 25 ///

1 **Q. Did he have an ownership stake at that**
 2 **point?**
 3 A. I don't know the timelines.
 4 **Q. And did this operation ever get off the**
 5 **ground?**
 6 A. I don't know. There's -- I don't think they
 7 ever purchased 40 to 60 agents. If they did, they
 8 purchased directly to ShopPoint directly.
 9 **Q. Okay. And Eric was copied on this email,**
 10 **you were not, but it does say Mike Richard and Eric.**
 11 **Was Eric like a point person, since he's the only**
 12 **one copied here?**
 13 A. Could have been. Usually they keep me cc'd
 14 on things if there's something for me to keep track
 15 of money wise. If it's not, I don't get cc'd on, I
 16 don't hear about it 'til they make deals and it was
 17 done.
 18 **Q. Got it.**
 19 **Are you aware of a World Connection, LLC, in**
 20 **Idaho?**
 21 A. No.
 22 **Q. What about World Connection USA, LLC, in**
 23 **California?**
 24 A. No.
 25 **Q. Do you know if Nick Long ever had a**

1 **Jones's companies and World Connection?**
 2 A. There was a point --
 3 **Q. Other than --**
 4 A. Yeah, go ahead.
 5 **Q. Other than this specific email where they're**
 6 **talking about a specific thing, do they have**
 7 **another, any broader relationship?**
 8 A. Mike Jones and World Connection, through --
 9 **Q. Yeah.**
 10 A. -- Andy there was some kind of ownership
 11 that Mike purchased, also, on Guatemala company,
 12 which Andy purchased back from him. That's what I
 13 heard or Andy informed me.
 14 **Q. Did World Connection use Mike Jones's**
 15 **companies to access TelWeb at any point?**
 16 A. Yes. World Connection, no, did not have a
 17 direct access to TelWeb, but there were call centers
 18 that received calls.
 19 **Q. Is the TelWeb account name W-Connect, for**
 20 **World Connection?**
 21 A. Most likely.
 22 **Q. Do you know whether it is or you're assuming**
 23 **it is?**
 24 A. I'm assuming it is.
 25 **Q. Did you ever get payment that you posted to**

1 **relationship to World Connection?**
 2 A. I believe he did first and something
 3 happened.
 4 (Mr. Kreindler leaves the room.)
 5 THE WITNESS: They kicked him out or he owed
 6 money to Guatemala company.
 7 BY MR. EVANS:
 8 **Q. So who kicked -- somebody from Guatemala or**
 9 **somebody in the U.S.?**
 10 A. Guatemalans.
 11 **Q. Do you know the name Hugo Vignola?**
 12 (Mr. Kreindler enters the room.)
 13 THE WITNESS: Hugo and there might be --
 14 there's another guy named Robert. I don't know
 15 his -- I don't remember his last name, but there's a
 16 Robert. Bobby. Robert. Bobby.
 17 **Q. Who are they?**
 18 A. I think they're the owners of the World
 19 Connection in Guatemala.
 20 **Q. And do you know whether Tony Tseng has**
 21 **anything to do with World Connection?**
 22 A. I believe he does not.
 23 **Q. He does now or does not?**
 24 A. No, he does not.
 25 **Q. Okay. What's the relationship between Mike**

1 **the W-Connect account?**
 2 A. It was a dialing account or campaign that
 3 was running, and it was connected with the World
 4 Connection on the dialer.
 5 **Q. And who paid for that, that you posted to**
 6 **that account?**
 7 A. The clients -- if it was auto warranty
 8 leads, was some clients, auto warranty clients paid
 9 the World Connection, and World Connection paid the
 10 money to the dialing company for their account.
 11 **Q. Any other campaigns where World Connection**
 12 **paid the dialing company?**
 13 A. Not that I'm aware of.
 14 MR. BARLOW: Who from World Connection paid
 15 the dialing company?
 16 THE WITNESS: Robert will send money to
 17 Secure or Savilo. I don't remember which company
 18 he'd send the money to.
 19 MR. BARLOW: And during that time, did Andy
 20 have any -- was that a time when Andy had something
 21 to do with World Connection?
 22 THE WITNESS: Yes. Andy was involved in
 23 World Connection at that time.
 24 MR. BARLOW: So when World Connection was
 25 using TelWeb, Andy was involved with World

355

1 **(Mr. Kreindler leaves the room.)**
2 THE WITNESS: Because that's the business
3 that Mike was doing since before I was even there,
4 and I believe Jamie always knew what was going on.
5 MR. BARLOW: And when Mike and Nick Long and
6 Andy Salisbury were sued by the State of Texas, did
7 you ever hear anybody discuss that they had
8 mentioned it to Andy --
9 (Mr. Kreindler enters the room.)
10 MR. BARLOW: -- I mean to James Christiano?
11 Was NetDot Solutions aware of that lawsuit?
12 THE WITNESS: I believe they got subpoenaed,
13 everybody got subpoenaed.
14 MR. BARLOW: Okay. Great.
15 Is there anything else you can tell us about
16 NetDot Solutions and its knowledge of Mike Jones
17 business?
18 THE WITNESS: No.
19 MR. EVANS: Okay. Fair enough. Thank you
20 for sticking in 'til the bitter end.
21 We will close the investigational hearing
22 now. Mr. Kreindler already has the proposed order
23 and the complaint, and so we will look forward to
24 hearing back from him on that and about other
25 matters.

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1 MR. KREINDLER: Do you want us to sign that
2 and send it back to you?
3 MR. EVANS: You're welcome to sign, yeah,
4 and send it back at any time, and Mr. Oakley as
5 well.
6 MR. KREINDLER: Oh, okay.
7 MR. EVANS: No problem.
8 MR. KREINDLER: All right. Will do.
9 MR. BARLOW: Yeah. Now, tomorrow, or
10 whatever you want.
11 MR. KREINDLER: Okay.
12 MR. EVANS: So with that we'll close the
13 record. And I want to thank the court reporter for
14 being so patient with us over video and phone and
15 handling the exhibits. Thank you very much.
16 THE REPORTER: Thank you.
17 MR. BARLOW: Thank you both, Mr. Kreindler
18 and Mr. Paik.
19 THE WITNESS: Thank you.
20 MR. KREINDLER: All right. Thank you.
21
22 (Proceedings concluded at 5:24 p.m.)
23
24
25

357

1 REPORTER'S CERTIFICATE
2
3 I, the undersigned, a Certified Shorthand
4 Reporter of the State of California, do hereby
5 certify;
6 That the foregoing proceedings were taken
7 before me at the time and place herein set forth;
8 that any witnesses in the foregoing proceedings,
9 prior to testifying, were placed under oath; that a
10 verbatim record of the proceedings was made by me
11 using machine shorthand, which was thereafter
12 transcribed under my direction; further, that the
13 foregoing is an accurate transcription thereof.
14 I further certify that I am neither
15 financially interested in the action, nor a relative
16 or employee of any attorney of any of the parties.
17 IN WITNESS WHEREOF, I have this date
18 subscribed my name.
19
20 Dated:
21
22
23
24 CHRISTINA KIM-CAMPOS
25 CERTIFICATE NO. 12598

In the Matter of:

FTC v. Justin Ramsey, et al.

May 18, 2017
Justin Ramsey

Condensed Transcript with Word Index



For The Record, Inc.
(301) 870-8025 - www.ftrinc.net - (800) 921-5555

Ramsey
#:1061

FTC v. Justin Ramsey, et al.

5/18/2017

1	<p>1 UNITED STATES DISTRICT COURT</p> <p>2 SOUTHERN DISTRICT OF FLORIDA</p> <p>3 Case No. 17-CV-80032-MARRA</p> <p>4</p> <p>5 FEDERAL TRADE COMMISSION,)</p> <p>6 Plaintiff,)</p> <p>7 v.)</p> <p>8 JUSTIN RAMSEY, et al.,)</p> <p>9 Defendants.)</p> <p>10 -----)</p> <p>11</p> <p>12 Thursday, May 18, 2017</p> <p>13</p> <p>14 Roth Jackson Gibbons Condlin, PLC</p> <p>15 8200 Greensboro Drive</p> <p>16 Suite 820</p> <p>17 McLean, Virginia 22102</p> <p>18</p> <p>19 The above-entitled matter came on for</p> <p>20 hearing, pursuant to notice, at 9:25 a.m.</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	3
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2	<p>1 APPEARANCES:</p> <p>2</p> <p>3 ON BEHALF OF THE FEDERAL TRADE COMMISSION:</p> <p>4</p> <p>5 IAN BARLOW, ESQ.</p> <p>6 JAMES EVANS, ESQ.</p> <p>7 DANIELLE ESTRADA, ESQ. (via telephone)</p> <p>8 Federal Trade Commission</p> <p>9 Bureau of Competition</p> <p>10 400 7th Street, S.W.</p> <p>11 Washington, D.C. 20024</p> <p>12 202-326-2895</p> <p>13</p> <p>14 ON BEHALF OF DEFENDANT JUSTIN RAMSEY:</p> <p>15</p> <p>16 MITCHELL N. ROTH, ESQ.</p> <p>17 MICHAEL McKAY, ESQ.</p> <p>18 Roth Jackson Gibbons Condlin, PLC</p> <p>19 8200 Greensboro Drive</p> <p>20 Suite 820</p> <p>21 McLean, Virginia 22102</p> <p>22 703-485-3536</p> <p>23</p> <p>24</p> <p>25</p>	4
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<p>1 FEDERAL TRADE COMMISSION</p> <p>2 I N D E X</p> <p>3</p> <p>4 WITNESS:</p> <p>5 JUSTIN RAMSEY</p> <p>6 EXAMINATION PAGE</p> <p>7 BY MR. BARLOW 5</p> <p>8</p> <p>9 AFTERNOON SESSION: (1:27 p.m.) 160</p> <p>10</p> <p>11 E X H I B I T S</p> <p>12</p> <p>13 FTC EXHIBIT NUMBER: PAGE:</p> <p>14 1 Check to J. Ramsey 18</p> <p>15 100 5-11-17 Barlow to Roth Letter 21</p> <p>16 2 Letters from Alliance Security 49</p> <p>17 6 2014 Order, FTC/Alliance 100</p> <p>18 7 E-mail Chain, Pitts/Alliance 105</p> <p>19 33 Paik and Oakley Production 126</p> <p>20 3 Composite, FTC 3a and 3b 149</p> <p>21 4 Dealer Funding Report 149</p> <p>22 5 ALL-ORDER-812731-735 153</p> <p>23 10 E-mail Chain, Paik/Ramsey 167</p> <p>24 11 July 2014 E-mails from Oakley 173</p> <p>25 12 E-mail Chain, P&O0005095 175</p>	3
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5

1 PROCEEDINGS
 2 (9:25 a.m.)
 3 Whereupon--
 4 JUSTIN RAMSEY,
 5 having been first duly sworn, was examined and
 6 testified as follows:
 7 EXAMINATION
 8 BY MR. BARLOW:
 9 **Q. Mr. Ramsey, thank you for coming in. I**
 10 **know we have met before but just for the record**
 11 **I'm Ian Barlow, a lawyer at the United States**
 12 **Federal Trade Commission.**
 13 **Also with me today is James Evans,**
 14 **another attorney at the Federal Trade Commission.**
 15 **And, Mr. Ramsey, please state your name,**
 16 **date of birth, current address for the record.**
 17 A. Justin Ramsey, [REDACTED]-82, [REDACTED]
 18 [REDACTED] Boca Raton, Florida, [REDACTED].
 19 **Q. And, Mr. Ramsey, you have your lawyer**
 20 **here with you today?**
 21 A. Yes, sir.
 22 MR. BARLOW: Mr. Roth, do you want to
 23 make an appearance for the record?
 24 MR. ROTH: Yes. Mitchell Roth, Roth
 25 Jackson. Also assisted by my associate Michael

7

1 A. Yes, sir.
 2 **Q. And that means not just honest but also**
 3 **complete answers?**
 4 A. Yes, sir.
 5 **Q. Okay. And so do I have your agreement**
 6 **that you will provide both complete and truthful**
 7 **answers to my questions?**
 8 A. Yes, sir.
 9 **Q. Okay. The court reporter is**
 10 **transcribing this, so we need a clear, accurate**
 11 **written record that we can rely on later.**
 12 **As a result we need to do a few things**
 13 **as we speak:**
 14 **First, clear, verbal answers, yes or no,**
 15 **which you have been doing very well, not uh-huh**
 16 **or uh-uh, which in the room we all know what you**
 17 **mean but on paper nobody can tell.**
 18 **So do you understand and agree to give**
 19 **yes or no answers?**
 20 A. Yes, sir.
 21 **Q. Okay. Next thing is we can't talk over**
 22 **each other. You need to let me finish my**
 23 **question before answering.**
 24 **Do you understand that?**
 25 A. Yes, sir.

6

1 McKay who is here but stepped out momentarily.
 2 (Interruption.)
 3 MR. BARLOW: Okay. We can go off the
 4 record real quick, just for a second.
 5 (Discussion off the record.)
 6 MR. BARLOW: Okay. We're back on the
 7 record. And Danielle Estrada of the FTC has
 8 joined us by teleconference, and co-counsel for
 9 Mr. Ramsey has joined us in the conference room
 10 here.
 11 Mr. McKay, do you want to state your
 12 name for the record?
 13 MR. McKAY: Michael McKay.
 14 BY MR. BARLOW:
 15 **Q. Okay, Mr. Ramsey, now that we have got**
 16 **everybody signed in, present and accounted for, I**
 17 **know you have testified under oath before but I**
 18 **want to go over some of the ground rules on the**
 19 **record anyway.**
 20 **Do you understand that?**
 21 A. Yes, sir.
 22 **Q. A few moments ago you swore under oath**
 23 **to tell the truth.**
 24 **Do you understand that also means the**
 25 **whole truth?**

8

1 **Q. And I will do the same. And then we**
 2 **need to speak loudly and clearly for the record.**
 3 **Agreed?**
 4 A. Yes.
 5 **Q. Okay. Along the same lines, I want to**
 6 **be sure that if I ask you a question that you**
 7 **understand it. So if you don't understand a**
 8 **question, please let me know.**
 9 **Do you agree to do that?**
 10 A. Yes.
 11 **Q. And if you don't say I don't understand**
 12 **it, I'm going to assume that you understood it.**
 13 **Is that fair enough?**
 14 A. Yes.
 15 **Q. Okay. Again, along the same lines,**
 16 **later on in the day, you know, if we take a break**
 17 **or something, and you come back and you realize**
 18 **that you have given me an answer that wasn't**
 19 **complete or wasn't accurate, do you agree you**
 20 **will let me know so we can get the correct**
 21 **information on the record?**
 22 A. Yes.
 23 **Q. And now, this is another formality, I**
 24 **apologize in advance but I need to ask for the**
 25 **record: Are you taking any medicine or under the**

41

1 A. Yes.
2 **Q. And how long did you keep doing that?**
3 A. Until the end of 2015, I believe.
4 **Q. And that whole time you were doing press**
5 **1 transfers?**
6 A. Yes.
7 **Q. And so in 2012-2013 the press 1**
8 **transfers were going to your office in Boynton?**
9 A. Not for the entire time because the
10 office in Boynton -- I didn't own Leading Apex.
11 So I went to work every day in Boynton. I
12 managed the office, same thing, made sure that
13 people came in.
14 I don't remember if the years are 2013
15 through 2015. If I can recall, I think it was
16 only open for a year.
17 **Q. Then after that did you start sending**
18 **the press 1 transfer somewhere else?**
19 A. Yes, but I don't remember the company.
20 **Q. And regardless of where you were sending**
21 **the press 1 transfers, you kept doing press 1**
22 **voice broadcasting for Alliance until around the**
23 **end of 2015?**
24 A. Yes.
25 **Q. Now, you said the second method -- hold**

42

1 **on a second.**
2 **On the outbound predictive, what do you**
3 **mean by outbound predictive?**
4 A. A file was loaded into a dialer without
5 a prerecorded message.
6 **Q. Okay. So these were the two kinds of**
7 **lead generation you were doing for Alliance,**
8 **press 1 voice broadcasting and then outbound**
9 **predictive?**
10 A. Yes.
11 **Q. And so you say the data was loaded into**
12 **an auto dialer?**
13 A. Yes.
14 **Q. But it was loaded without a prerecorded**
15 **message?**
16 A. Yes.
17 **Q. So when the call went to a consumer what**
18 **happened next?**
19 A. When they said hello, our rep would say
20 hello.
21 **Q. Did you dial those calls through**
22 **TelServe or TelWeb also?**
23 A. If I recall, I believe that was the
24 company.
25 **Q. And when people answered the phone and**

43

1 **were connected to a live agent, where was that**
2 **live agent sitting?**
3 A. I believe in Boynton.
4 **Q. And then later on did that change?**
5 A. Yes.
6 **Q. How did it change?**
7 A. It changed, I moved it overseas.
8 **Q. To where?**
9 A. Guatemala.
10 **Q. And what company was that?**
11 A. I don't remember the company it was in
12 the beginning.
13 **Q. And how did you find that company in**
14 **Guatemala to transfer your predictive calls to?**
15 A. I don't remember the contact that gave
16 it to me.
17 **Q. And who owned that company?**
18 A. Hugo.
19 **Q. Hugo Vignolo?**
20 A. I guess that's his last name.
21 **Q. And Andy Salisbury owned that company,**
22 **too, right?**
23 A. I don't know if he owned it then. I
24 know that he has ownership in it now.
25 **Q. And Andy Salisbury had an e-mail for**

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1 **that company, too, right? The company's name is**
2 **World Connection, right?**
3 A. Yes. That's what it is now. I don't
4 recall if that's what it was in 2013.
5 **Q. Okay. Any place else that the**
6 **predictive calls got transferred to other than**
7 **your office in Boynton and the Guatemalan call**
8 **center named World Connection that Andy Salisbury**
9 **owned?**
10 A. Not that I remember.
11 **Q. Okay. And those were calls dialed**
12 **outbound predictive through TelWeb and TelServe?**
13 A. The call center in Guatemala took press
14 1 transfers and also made outbound predictive.
15 **Q. Okay. So let's go back to press 1.**
16 **Press 1 transfers, you had some of the calls**
17 **going to, press 1's were going to the call center**
18 **in Boynton Beach?**
19 A. Uh-huh, yes.
20 **Q. And then later on some went to the World**
21 **Connection call center in Guatemala?**
22 A. Yes.
23 **Q. Okay. Any place else?**
24 A. Not that I recall.
25 **Q. Okay. And these are all Alliance calls**

11 (Pages 41 to 44)

1 I'm talking about. I'm not talking about ISI
 2 Alarms calls. Just Alliance right now.
 3 A. Yes.
 4 Q. The Alliance press 1 transfers, first
 5 Tailbone, or first the call center in Boynton
 6 Beach?
 7 A. Yes.
 8 Q. And then Guatemala, World Connection?
 9 A. Yes.
 10 Q. Any place else?
 11 A. Not that I recall.
 12 Q. Okay. Now, the predictive calls, who
 13 loaded the data list for those predictive calls?
 14 A. I think I did.
 15 Q. Anybody else?
 16 A. Not that I remember.
 17 Q. Okay. And then who actually started the
 18 dialer for those predictive calls?
 19 A. I did.
 20 Q. And the agents fielding those calls when
 21 a consumer answered were located where?
 22 A. Started in Boynton and then was in
 23 Guatemala.
 24 Q. Any place else?
 25 A. Not that I recall.

1 Q. Okay. For the press 1 voice
 2 broadcasting campaigns, who started the dialer?
 3 A. I did.
 4 Q. Anybody else?
 5 A. On occasion Chris Herghelegiu, Brian
 6 Offner. If I recall, Mike Jones. If I recall,
 7 Ray Verallo. I believe that is it.
 8 Q. Okay. I think we may go into -- you
 9 know, while I'm here, you were also doing dialing
 10 for ISI Alarms through TelWeb and TelServe,
 11 right?
 12 A. Yes.
 13 Q. Okay. For ISI Alarms, where did you --
 14 I may have asked this already -- but where did
 15 you send the press 1's?
 16 A. To Boynton Beach and -- Boynton Beach
 17 and ISI.
 18 Q. Okay. And then did you do any
 19 predictive dialing for ISI?
 20 A. No.
 21 Q. Okay. Where were you getting your data
 22 lists of consumer telephone numbers to call for
 23 your Alliance Security campaigns that you dialed
 24 through TelWeb?
 25 A. I was buying some of them. I don't

1 recall.
 2 Q. You don't know who you were buying them
 3 from?
 4 A. I don't remember. Not at that time, no.
 5 Q. And what about for ISI Alarms?
 6 A. I don't remember.
 7 Q. And we're going to come back to your
 8 dialing and some of that stuff in more detail
 9 later.
 10 Let me ask you, do you currently have
 11 any business relationship with Alliance?
 12 A. No.
 13 Q. Why not?
 14 A. That's a good question.
 15 Q. Who ended the relationship?
 16 A. Matt Pitts.
 17 Q. Is Matt Pitts an employee of Alliance?
 18 A. Yes.
 19 Q. What did Matt Pitts tell you about why
 20 the relationship was ending?
 21 A. Because you guys, the FTC wouldn't allow
 22 them to deal with me.
 23 Q. They said that the FTC told them don't
 24 do business with Justin Ramsey?
 25 A. Yes.

1 Q. Matt Pitts told you that?
 2 A. Yes.
 3 Q. When did he tell you that?
 4 A. End of -- or the beginning of 2016.
 5 Q. And did he tell you that in writing?
 6 A. No. I think we have a termination
 7 letter, right?
 8 Q. Let me just ask you the question.
 9 A. Okay.
 10 Q. Did he tell you in writing that the FTC
 11 --
 12 A. No.
 13 Q. -- told him to stop doing business with
 14 Ramsey?
 15 A. Sorry. No.
 16 Q. Did he tell you that on the phone?
 17 A. I believe so.
 18 Q. Well, I'm just going to represent to you
 19 that as a lawyer at the FTC, I don't tell anybody
 20 who to do business with.
 21 I mean, I may have sent subpoenas asking
 22 questions about you and they may have made their
 23 own business decisions, but I don't, as a lawyer
 24 for the Federal Government, we don't tell people
 25 who to do business with.

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1 **and dealers?**
 2 MR. ROTH: Do you know?
 3 THE WITNESS: No.
 4 MR. ROTH: I don't know if you would
 5 know that.
 6 MR. BARLOW: If he doesn't know he can
 7 tell me Mitch. Come on.
 8 BY MR. BARLOW:
 9 **Q. Mr. Ramsey, in the beginning of the**
 10 **deposition, remember I asked you, if you don't**
 11 **know the answer, if you don't understand a**
 12 **question, you can tell me?**
 13 A. Yes.
 14 **Q. All right.**
 15 A. Can you repeat the question?
 16 **Q. Sure. All right. Let's just be clear**
 17 **about this. Nobody at Alliance ever told you:**
 18 **Oh, we didn't download the registry for the last**
 19 **two months, please don't use our copy of the Do**
 20 **Not Call Registry?**
 21 A. Not that I recall, no.
 22 **Q. But they did tell you we had a glitch, a**
 23 **technical glitch?**
 24 A. Yes.
 25 **Q. Got you. Okay. Did Alliance ever ask**

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1 **you to buy your own subscriber access number to**
 2 **the Do Not Call Registry?**
 3 A. No.
 4 **Q. So are you saying that when you ran home**
 5 **security telemarketing campaigns through Avatar**
 6 **Technologies' dialing platform, you were not at**
 7 **the same time dialing through the TelWeb or**
 8 **TelServe platform?**
 9 A. Not that I recall. I will rephrase
 10 that. March and April 2016, and I was still
 11 using Avatar, so that would have been around that
 12 same time frame.
 13 **Q. I don't understand. I'm not**
 14 **understanding what you just told me.**
 15 A. March and April of 2016 was the only
 16 time that I did P1's along with Avatar.
 17 **Q. Where were you dialing those press 1's**
 18 **in March and April 2016?**
 19 A. On TelWeb.
 20 **Q. For Alliance?**
 21 A. Yes.
 22 **Q. Okay. And where were those press 1's in**
 23 **March and April 2016 going?**
 24 A. To the World Connection.
 25 **Q. So March and April 2016 you have got two**

115

1 **different problems. You've got the soundboard**
 2 **calls through Avatar Technologies and you've got**
 3 **the press 1's through TelWeb and TelServe?**
 4 A. Yes.
 5 **Q. And in the same time period, March and**
 6 **April of 2016, the press 1's are going to World**
 7 **Connection in Guatemala?**
 8 A. Yes.
 9 **Q. And the agents at World Connection in**
 10 **Guatemala, what were they doing?**
 11 A. Answering the phone to see if they were
 12 interested in home security.
 13 **Q. Okay. And if the person was interested**
 14 **in home security, what would World Connection do**
 15 **next?**
 16 A. Submit it to Alliance.
 17 **Q. Through Techspatch?**
 18 A. ConnectLeads.
 19 **Q. Through ConnectLeads. And then what**
 20 **would Alliance do next?**
 21 A. Call them back.
 22 **Q. And then Alliance would try to set an**
 23 **appointment to install the alarm?**
 24 A. Yes.
 25 **Q. And what did you call that campaign, or**

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1 **that office name at Alliance?**
 2 A. I don't remember.
 3 **Q. Was it Global Connection, or Global**
 4 **Connexion, with an "x"?**
 5 A. Actually, no, that wasn't me.
 6 **Q. What was it?**
 7 A. I don't know. I don't remember.
 8 **Q. Who was Global Connexion, with an x?**
 9 A. Richard.
 10 **Q. And who else?**
 11 A. Eric.
 12 **Q. And who else?**
 13 A. Mike Jones.
 14 **Q. Richard Paik, P-a-i-k?**
 15 A. Yes.
 16 **Q. Eric Oakley, O-a-k-l-e-y?**
 17 A. Yes.
 18 **Q. And so for these press 1's, March and**
 19 **April 2016, that are going through TelWeb and**
 20 **TelServe, they go to World Connection, the people**
 21 **who press 1 and are interested go to World**
 22 **Connection, and then if they are prequalified by**
 23 **World Connection, World Connection posts those**
 24 **leads to Alliance and ConnectLeads, is that**
 25 **right?**

1 A. Yes.
 2 **Q. Okay. How did you make money from that?**
 3 A. Per install.
 4 **Q. And who paid you?**
 5 A. Alliance.
 6 **Q. Alliance paid you directly?**
 7 A. Yeah.
 8 **Q. And how did World Connection make money**
 9 **from that?**
 10 A. I'm not really sure. I paid World
 11 Connection, so I would get paid but I had to pay
 12 the hourly rate for the March and April 2016.
 13 **Q. What hourly rate?**
 14 A. For the agents in Guatemala.
 15 **Q. You were paying for the World Connection**
 16 **agents?**
 17 A. Correct.
 18 **Q. Okay.**
 19 A. In March and April 2016.
 20 **Q. Okay. Where did you pay that money out**
 21 **of?**
 22 A. Prime.
 23 **Q. So you were actually paying World**
 24 **Connection?**
 25 A. Yes.

1 **Q. All right. How did you pay World**
 2 **Connection?**
 3 A. Wire.
 4 **Q. Who made this arrangement with World**
 5 **Connection, you and who else?**
 6 A. Hugo, I believe, originally.
 7 **Q. Hugo Vignolo?**
 8 A. Yes.
 9 **Q. And who else was involved in it?**
 10 A. As far as the day-to-day?
 11 **Q. Uh-huh.**
 12 A. Whoever the managers were at that time.
 13 **Q. And who else was involved in the overall**
 14 **decision to undertake this project?**
 15 A. I don't know the guy's name. Jose.
 16 **Q. Jose Valiente?**
 17 A. Yeah.
 18 **Q. And what about Mike Jones?**
 19 A. No, not really.
 20 **Q. He wasn't involved in this at all?**
 21 A. As far as getting me in with World
 22 Connection? Not that I remember.
 23 **Q. Okay. And Andy Salisbury was an owner**
 24 **of World Connection, too, right?**
 25 A. Yes.

1 **Q. He was involved, too, right?**
 2 A. Not with me.
 3 **Q. So you never had e-mails, exchanged**
 4 **e-mails?**
 5 A. Very few. I mean, as far as setting it
 6 up I dealt with Hugo and the managers. I think
 7 the only time Andy got involved was to ask me why
 8 there would be a shortage on an invoice or
 9 something like that.
 10 But it was very limited communication
 11 and I don't recall all of it.
 12 **Q. He knew you were arranging it, right?**
 13 A. Yes.
 14 **Q. And Andy knew you were dialing through**
 15 **TelWeb, too, right?**
 16 A. Yes.
 17 **Q. And Andy knew the money was coming from**
 18 **Alliance, right?**
 19 A. That I don't know.
 20 **Q. Did Andy Salisbury had a company called**
 21 **Connectyourhome?**
 22 A. I have heard it but I don't know if that
 23 is his company.
 24 **Q. Have you seen e-mails with him with a**
 25 **Connectyourhome e-mail address?**

1 A. No.
 2 **Q. You have heard the name Connectyourhome?**
 3 A. Yes.
 4 **Q. What do you know about it?**
 5 A. Not much. The only thing I know is that
 6 they are call-ins.
 7 **Q. What do you mean by call-ins?**
 8 A. That's all I know.
 9 **Q. What is a call-in?**
 10 A. I don't know.
 11 **Q. Do you know Andy Salisbury owns World --**
 12 **Connectyourhome?**
 13 A. No.
 14 **Q. I will represent to you he testified**
 15 **under oath that he owns Connectyourhome.**
 16 **And can you explain to me why**
 17 **Connectyourhome would have its own telephone**
 18 **extension at Alliance?**
 19 A. No. I have no idea.
 20 **Q. Have you ever heard that before?**
 21 A. Not -- I can't say yes honestly.
 22 **Q. Did any of your offices have their own**
 23 **dedicated extension lines?**
 24 A. No.
 25 **Q. Why would there be like an Alliance**

1 **Q. These are all robocalls, right?**
 2 A. Yes.
 3 **Q. And the numbers under Total Agents is**
 4 **how many people got these and pressed 1?**
 5 A. This is the -- the total lives is the --
 6 **Q. Total lives, is that the number of**
 7 **calls?**
 8 A. There is three columns, Total Agents,
 9 Total Lives and Total. Total is the amount of
 10 phone calls. Total Lives is the people that
 11 picked up the phone. Total Agents is the amount
 12 of people that pressed 1 to go to somewhere.
 13 **Q. So like on August 26, 2013 this campaign**
 14 **dialled 1.6 million total calls?**
 15 A. Yes.
 16 **Q. And then 249,000 of them were answered**
 17 **by a person?**
 18 A. Yes.
 19 **Q. And all 249,000 of those people heard a**
 20 **robocall message?**
 21 A. Yes.
 22 **Q. Okay. I want you to turn to page 8 of**
 23 **17. In the middle, in the column that is for**
 24 **voice, or for vox number, it says New Security,**
 25 **Homeowner Only. Below that it says New Security,**

1 some form of tracking.
 2 **Q. So these were all press 1 robocalls?**
 3 A. Yes.
 4 **Q. Going from TelWeb/TelServer to the call**
 5 **center that Andy Salisbury owns, right?**
 6 A. Yes.
 7 **Q. All right. We can enter that into the**
 8 **record and put it aside.**
 9 A. It is just hard to remember four years
 10 ago exactly if I named the campaign something.
 11 That's the only problem.
 12 **Q. Yeah, I understand. Did anything**
 13 **else -- take a look at this. Is there anything**
 14 **else that strikes you as unusual based on your**
 15 **experience looking at these kind of reports?**
 16 A. Yes, the price per minute and the price
 17 per minute I was paying.
 18 **Q. What is unusual about it? Is the price**
 19 **per minute higher or lower than the price you**
 20 **were paying?**
 21 A. A lot lower.
 22 **Q. A lot lower. So you were paying a much**
 23 **higher price for your robocalls than apparently**
 24 **this campaign was paying?**
 25 A. Yes.

1 **Short Message.**
 2 A. Okay.
 3 **Q. Do you see all that?**
 4 A. Yes.
 5 **Q. So somebody had named those files**
 6 **instead of just leaving a number for those voice**
 7 **files?**
 8 A. Yes.
 9 **Q. Did you name them?**
 10 A. I may have.
 11 **Q. And this is December 17th, 2013?**
 12 A. Correct.
 13 **Q. Were these campaigns you dialed?**
 14 A. I don't remember.
 15 **Q. Do you think it is pretty safe to say**
 16 **these press 1 calls were being transferred to the**
 17 **World Connection center in Guatemala?**
 18 A. Yes, pretty safe to say.
 19 **Q. What do you base that on?**
 20 A. It has WConnect and World Con as the
 21 campaign name.
 22 **Q. Right.**
 23 A. So, I mean, we didn't name campaign
 24 Pizza Hut and the customer was WConnect. We
 25 named it where the call would go to so you have

1 **Q. Which column is that where you got the**
 2 **price per, where are you getting that from?**
 3 A. The last column, the .80.
 4 **Q. Yes. The heading there is Minutes Per**
 5 **Live. And next to that it says Minutes Per --**
 6 A. Yeah, I don't know what they mean.
 7 **Q. But to you that was the price?**
 8 A. Yes.
 9 **Q. Based on your knowledge of TelWeb?**
 10 A. Yes.
 11 **Q. Which column is it that you think**
 12 **reflects the price?**
 13 A. The very last one.
 14 **Q. The very last one. Now, if somebody**
 15 **were a reseller of TelWeb and they marked up the**
 16 **rate and they were selling to you at a higher**
 17 **rate, but they also in addition to being a**
 18 **reseller they dialed themselves, they could just**
 19 **pay themselves the lower rate, right, and charge**
 20 **you the higher rate as the reseller, right?**
 21 A. Yes.
 22 **Q. But for their own robocalls if they were**
 23 **the reseller they could dial at the lower rate,**
 24 **right?**
 25 A. Yes.

1 **What does AW mean?**
 2 A. Auto warranty.
 3 **Q. So we had agreed, this is really about**
 4 **home security, but I just want to ask quickly,**
 5 **there was auto warranty stuff going through**
 6 **WConnection as well?**
 7 A. Yes, for about two to three weeks, and
 8 they ran off of the soundboard. We tried to do a
 9 campaign through Avatar Technologies to run
 10 through World Connection but it didn't, it
 11 failed.
 12 **Q. Wherever it was from, this is auto**
 13 **warranty telemarketing in June 27, 2014, right?**
 14 A. Yes.
 15 **Q. And the e-mail is, at the top, is from**
 16 **you to Herbert Carranza at WConnection, is that**
 17 **right?**
 18 A. Yes.
 19 **Q. And then copied in there are a number of**
 20 **folks, including Jose Valiente,**
 21 **esteban@wconnection, Hugo Vignolo, Roberta**
 22 **Herrera, mikej@savilo, that's Mike Jones, and**
 23 **asalisbury@wconnection.net.**
 24 A. Yes.
 25 **Q. And "asalisbury" is Andy Salisbury,**

1 **right?**
 2 A. Yes.
 3 **Q. And creativemarketingaz@gmail, do you**
 4 **know who that is?**
 5 A. From previous e-mails, Houston Lewis.
 6 **Q. And Mr. Fraley was very candid about it.**
 7 **And, look, I don't mean to suggest there is**
 8 **anything improper.**
 9 **But in 2014 Andy Salisbury and**
 10 **WConnection were doing auto warranty**
 11 **telemarketing through the World Connection call**
 12 **center in Guatemala, right?**
 13 A. We were sending calls into them, I don't
 14 know if that classifies under telemarketing, but
 15 I was sending calls into them that they were
 16 qualifying and then transferring out.
 17 **Q. All right. And we will enter that into**
 18 **the record and put it aside. I don't want to run**
 19 **afoul of my promise to Mr. Roth.**
 20 **The last question, the last one on World**
 21 **Connection, and then we will -- I keep saying**
 22 **that and I keep saying more, but separate from**
 23 **the auto warranty, were there also home security**
 24 **calls that went through Avatar Technologies and**
 25 **then went to Guatemala?**

1 A. For a brief, maybe a month or two.
 2 **Q. And who arranged that?**
 3 A. If I remember, I did.
 4 **Q. With whom?**
 5 A. Andy.
 6 **Q. And what were the terms of that**
 7 **arrangement?**
 8 A. I don't remember.
 9 **Q. Were you going to get paid?**
 10 A. Well, if I remember, you are switching
 11 from PI's to Avatar, but you don't want to break
 12 the cycle of how everything has been working, so
 13 if Avatar can essentially do the same as a press
 14 I can, then you would send the Avatar to the call
 15 center to filter and then send to Alliance.
 16 **Q. You could sort of mimic how a press 1**
 17 **worked using a soundboard call through Avatar?**
 18 A. Correct.
 19 **Q. Because it could just say if you're more**
 20 **interested -- strike that.**
 21 **The prerecorded message played by the**
 22 **Avatar could just say: If you would like more**
 23 **information, say yes?**
 24 A. Yes.
 25 **Q. And then the Avatar agent would transfer**

1 **it?**
 2 A. Yes.
 3 **Q. And that's basically the same thing as a**
 4 **press 1 robocall instead you have got a live**
 5 **person doing it now?**
 6 A. Correct.
 7 **Q. So it is sort of like an end run around,**
 8 **trying to turn a soundboard call and use it as if**
 9 **it were a press 1 robocall?**
 10 A. Correct.
 11 **Q. Okay. And Andy was involved in this?**
 12 A. In handling the calls?
 13 **Q. Yes.**
 14 A. Yes.
 15 **Q. And how did you get paid?**
 16 A. I don't think we got paid. I think we
 17 lost money on it. Oh, you mean from the Avatar
 18 to the call center?
 19 **Q. If that arrangement had made money, who**
 20 **would have paid you? Would it have been Alliance**
 21 **or World Connection?**
 22 A. I don't know because it didn't make
 23 money.
 24 **Q. You didn't work that out ahead of time?**
 25 A. No, because everything was done on me

1 the response that Mr. Roth sent back to Alliance
 2 was there was a mistake in the dialer, and that's
 3 how this call spoof had happened.
 4 Do you recall that?
 5 A. Yes.
 6 Q. So it was one of your calls that led to
 7 Mr. Trent being transferred to Alliance Security?
 8 A. I assume so.
 9 Q. At this time in April 2016, did you have
 10 campaigns that were transferred directly to
 11 Alliance?
 12 A. Yes.
 13 Q. So walk me through that.
 14 A. If I can remember correctly, they were
 15 going through an IVR and then transferred over to
 16 Alliance.
 17 Q. What is IVR?
 18 A. Another prerecorded message to allow the
 19 person to be able to opt out a second time.
 20 Q. So the person got a prerecorded message,
 21 and what was the IVR?
 22 A. If you would like your number to be
 23 placed on the Do Not Call List, press 3, or
 24 whatever, and if you would like to speak to an
 25 agent, press 7.

1 campaign?
 2 A. I don't remember what campaign it was
 3 tied to.
 4 Q. You were doing live transfers at the
 5 time where the press 1's were going --
 6 A. Wait. April 2016, yes.
 7 Q. Inbound directly to Alliance, right?
 8 A. There was one campaign set up directly
 9 to go into Alliance, and then that was still in
 10 the time frame where the press 1's were going
 11 through Guatemala and then transferred over to
 12 Alliance.
 13 Q. So the press 1's were going to the
 14 Guatemalan call center, World Connection?
 15 A. Yes.
 16 Q. And then World Connection would send
 17 those calls on to Alliance?
 18 A. Yes.
 19 Q. And if you read this, Mr. Trent says he
 20 was first transferred to Carlos, then later
 21 transferred to Tim at Alliance Security.
 22 A. Okay.
 23 Q. So would it make sense then that the
 24 first transfer was to World Connection?
 25 A. Yes.

1 Q. Okay. So apparently Mr. Trent pressed 7
 2 to speak to an agent?
 3 A. Correct.
 4 Q. And first Mr. Trent says: As soon as I
 5 pressed the number indicated, I was connected
 6 with a sales representative who said that his
 7 name was Carlos and that he worked for Home
 8 Security Systems.
 9 A. Okay.
 10 Q. Home Security Services. That's in
 11 paragraph 4 of Mr. Trent's declaration on the
 12 first page.
 13 A. I see it.
 14 Q. Where was Carlos of Home Security
 15 Services working?
 16 A. I'm not sure.
 17 Q. You don't know where your press 1
 18 transfers were sent to?
 19 A. You are asking me about Carlos.
 20 Q. Where were the press 1 transfers going
 21 to?
 22 A. To Alliance.
 23 Q. There wasn't an intermediate step?
 24 A. No.
 25 Q. Okay. Was this a part of a Danger Zone

1 Q. Okay. And Tim, in paragraph 5 on page
 2 2, identified himself as an employee of Alliance
 3 Security, provided the company website as
 4 alliancesecurity.com and provided his contact
 5 number.
 6 A. Yes.
 7 Q. Where was this call -- where was the
 8 prerecorded message that went to Mr. Trent?
 9 Where was it dialed through?
 10 A. TelWeb.
 11 Q. Through TelWeb. And so if we got
 12 TelWeb's -- the records of automated dial calls
 13 sent through TelWeb on April 8, 2016 --
 14 A. Yes.
 15 Q. -- that call should be in there?
 16 A. Yes.
 17 Q. And it should be going to the number at
 18 804-775-4586 -- oh, strike that.
 19 It should be going to Mr. Trent's line
 20 at his office, is that right?
 21 A. Yes.
 22 Q. Now, Mr. Trent also says this call had a
 23 spoofed Caller ID so that when he received it, it
 24 appeared on his Caller ID screen as if the call
 25 was coming from another extension in his own

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1 A. Maybe Kevin, Haider or Ashish.
 2 **Q. Kevin Klink?**
 3 A. Yes.
 4 **Q. Haider Janjua?**
 5 A. Yes.
 6 **Q. And Ashish Bhatia?**
 7 A. Yep.
 8 **Q. What about Ryan Neill?**
 9 A. He probably would be okay to talk to.
 10 **Q. And in terms of who, like, does the most**
 11 **business with Alliance Security, do you have a**
 12 **feel for who their biggest dealers are?**
 13 A. Ryan Neill.
 14 **Q. And what about their biggest lead**
 15 **generators?**
 16 A. I don't know any more.
 17 **Q. While you worked for them was it your**
 18 **impression that you were the biggest lead**
 19 **generator?**
 20 A. Yes.
 21 **Q. And you worked for them before they were**
 22 **sued by the Federal Trade Commission?**
 23 A. Yes.
 24 **Q. And after?**
 25 A. Yes.

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1 **Q. Did anything ever change in how you**
 2 **dealt with them before they were sued until**
 3 **after, and then after they were sued?**
 4 A. The only thing that changed was I had to
 5 start scrubbing the data.
 6 **Q. But that didn't happen until Sunny died,**
 7 **right?**
 8 A. Correct.
 9 **Q. Just for the clarity of the record, when**
 10 **you say scrub the data you mean --**
 11 A. Against the National Do Not Call.
 12 **Q. -- make sure you weren't calling the Do**
 13 **Not Call Registry?**
 14 A. Correct.
 15 **Q. So before Sunny died you could still get**
 16 **paid by sending through calls of numbers that**
 17 **were on the Do Not Call Registry?**
 18 A. Yes.
 19 **Q. And after Sunny died that changed a**
 20 **little bit?**
 21 A. Yes.
 22 **Q. Okay. But you still did some business**
 23 **with them after Sunny died where they would**
 24 **accept numbers on the Do Not Call Registry for**
 25 **your Home Biz campaign?**

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1 A. Yes.
 2 **Q. But they didn't check with you to ask**
 3 **you how you were making sure those were really**
 4 **businesses, right?**
 5 A. Correct.
 6 **Q. And it is possible that sometimes they**
 7 **weren't businesses, it was regular people who got**
 8 **the calls, right?**
 9 A. Correct.
 10 **Q. And you heard complaints about that?**
 11 A. Yes.
 12 **Q. All right. I think we are done. We are**
 13 **off the record.**
 14 **(Discussion off the record.)**
 15 MR. BARLOW: Let's go on the record.
 16 Mr. McKay.
 17 MR. McKAY: I just want to ask if there
 18 is anything you misstated that you wanted to
 19 correct the record on?
 20 THE WITNESS: No, not that I know of.
 21 I'm so tired. If I think of something I will put
 22 it together.
 23 BY MR. BARLOW:
 24 **Q. And is there anything else you want to**
 25 **tell us while we're on the record?**

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1 A. As far as?
 2 **Q. I don't know. Anything about Alliance**
 3 **telemarketing, home security telemarketing?**
 4 A. No. Go off the record?
 5 **Q. Sure.**
 6 **(Discussion off the record.)**
 7 BY MR. BARLOW:
 8 **Q. Let's go back on the record. So what**
 9 **were you telling me, Mr. Ramsey, a moment ago I**
 10 **asked you if there was anything else you wanted**
 11 **to say. We went off the record and you made some**
 12 **comments to me.**
 13 **Would you just restate them now on the**
 14 **record?**
 15 A. Yeah, before Sunny's death I was able to
 16 do any type of marketing by any means necessary
 17 to get the installs. And after Sunny passed
 18 things changed. I wasn't able to do that any
 19 more.
 20 **Q. And when you say "any means necessary,"**
 21 **you meant call numbers on the Do Not Call List?**
 22 A. Yes.
 23 **Q. Use prerecorded messages?**
 24 A. Yes.
 25 **Q. Whatever you wanted?**

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1 A. Yes.
 2 **Q. And Alliance knew you were using**
 3 **prerecorded messages, right?**
 4 A. Yes.
 5 **Q. Okay. Off the record.**
 6 **(Discussion off the record.)**
 7 MR. BARLOW: Let's go back on the
 8 record.
 9 Mr. McKay, will Mr. Ramsey be reading
 10 and signing, or waive?
 11 MR. McKAY: It's up to you. Do you want
 12 to read your transcript and make sure it's right?
 13 THE WITNESS: I don't, no.
 14 MR. McKAY: Or you can waive.
 15 THE WITNESS: I'll waive.
 16 MR. McKAY: He will waive.
 17 MR. BARLOW: Okay. We're off the
 18 record.
 19 (Whereupon, at 5:41 p.m., reading and
 20 signing waived, the hearing was concluded.)
 21
 22
 23
 24
 25

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1 CERTIFICATION OF REPORTER
 2
 3 DOCKET/FILE NUMBER: 17-CV-80032-MARRA
 4 CASE TITLE: FTC v. Justin Ramsey, et al.
 5 HEARING DATE: May 18, 2017
 6
 7 I HEREBY CERTIFY that the transcript
 8 contained herein is a full and accurate
 9 transcript of the notes taken by me at the
 10 hearing on the above cause before the FEDERAL
 11 TRADE COMMISSION to the best of my knowledge and
 12 belief.
 13
 14 DATED: May 25, 2017
 15
 16
 17 RAYMOND G. BRYNTESON, RMR-CRR-RDR
 18
 19 CERTIFICATION OF PROOFREADER
 20
 21 I HEREBY CERTIFY that I proofread the
 22 transcript for accuracy in spelling, hyphenation,
 23 punctuation and format.
 24
 25 RAYMOND G. BRYNTESON

In the Matter of:

Allorey, Inc.

July 20, 2016
Andrew Charles Salisbury

Condensed Transcript with Word Index



For The Record, Inc.
(301) 870-8025 - www.ftrinc.net - (800) 921-5555

Salisbury
#1073

Allore, Inc.

7/20/2016

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20	Number 210	Photocopy of Web Site Page	195	20	investigational hearing, pursuant to notice, at		
21	Number 211	Certificate of Organization Limited Liability Company	197	21	9:08 a.m.		
22	Number 212	Limited Liability Company Articles of Organization	201	22			
23				23			
24	Number 213	September 20, 2012, E-mail Chain	209	24			
25				25			

5

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 25

1 **hearing officer today for this investigational**
 2 **hearing.**
 3 A Okay.
 4 **Q And so he has some information to provide you**
 5 **about the rules pursuant to which this is conducted.**
 6 MR. EVANS: Yes. I have to read this
 7 statement for the record.
 8 This is the investigational hearing convened
 9 at 9:09 a.m. on Tuesday, July 20th, 2016, at the
 10 Ronald Reagan Federal Building and US Courthouse at
 11 411 West Fourth Street in Santa Ana, California.
 12 Appearing for the Federal Trade Commission
 13 are myself, James Evans, as hearing officer, and
 14 Ian Barlow as commission counsel. Mr. Salisbury is
 15 not represented by counsel.
 16 This proceeding is in relation to a nonpublic
 17 Commission investigation to determine whether certain
 18 telemarketers, sellers, or others assisting them have
 19 engaged in, or are engaging in, one, unfair or
 20 deceptive acts or practices in or affecting commerce
 21 in violation of Section 5 of the Federal Trade
 22 Commission Act, 15 U.S.C. Section 45, as amended,
 23 and/or, two, deceptive or abusive telemarketing acts
 24 or practices in violation of the Commission's
 25 Telemarketing Sales Rule, 16 C.F.R. Part 310, as

6

8

1 PROCEEDINGS
 2 - - - - -
 3 Whereupon--
 4 ANDREW CHARLES SALISBURY
 5 a witness, called for examination, having been first
 6 duly sworn, was examined and testified as follows:
 7 EXAMINATION
 8 BY MR. BARLOW:
 9 **Q Mr. Salisbury, please state your name for the**
 10 **record.**
 11 A Andrew Salisbury.
 12 **Q Do you have a middle name?**
 13 A Charles.
 14 **Q What's your date of birth?**
 15 A [REDACTED]/64.
 16 **Q And your current address?**
 17 A [REDACTED] Huntington Beach,
 18 California.
 19 **Q And you just swore under oath that you would**
 20 **tell the truth today?**
 21 A Yeah.
 22 **Q Okay. Before we go any further, this**
 23 **proceeding is an investigational hearing under the**
 24 **FTC's Rules of Practice, and Mr. Evans, who is a staff**
 25 **attorney at the Federal Trade Commission, is also the**

1 amended, including, but not limited to, the provision
 2 of substantial assistance or support to telemarketers
 3 engaged in unlawful practices.
 4 The procedures which will be followed in this
 5 investigational hearing are outlined in the
 6 Commission's Rules of Practice, specifically Part 2,
 7 nonadjudicated procedures, Subpart A, which pertain to
 8 investigations and investigational hearings beginning
 9 with Section 2.1 through 2.14.
 10 I would like to draw your attention
 11 particularly to Section 2.9 of the Commission's rules
 12 which provide that any person compelled to appear and
 13 testify or produce documentary evidence may be
 14 accompanied, represented, and advised by
 15 counsel according to Federal Trade Commission rules.
 16 Representation by counsel in this hearing
 17 will be in accordance with those rules as prescribed
 18 by Section 2.9, Subparts B1 through B6.
 19 The purpose of this proceeding is to receive
 20 testimony under a Civil Investigative Demand duly
 21 served on Mr. Salisbury dated July 5, 2016. The CID
 22 was authorized and issued pursuant to the Federal
 23 Trade Commission resolution in File Number 012 3145
 24 dated April 1, 2016.
 25 In order to facilitate reference during this

1 hearing, I have requested that Commission counsel
2 place into the record as a Commission exhibit a copy
3 of the CID, including the Commission's resolution and
4 the attached specifications.

5 With those announcements made, I'll turn this
6 proceeding over to Mr. Barlow.

7 MR. BARLOW: Thank you, Mr. Evans.

8 All right. Let me just enter into the record
9 as an exhibit the Civil Investigative Demand dated
10 July 5th, 2016, that Mr. Evans mentioned.

11 (Exhibit 180 marked.)

12 BY MR. BARLOW:

13 **Q Mr. Salisbury, I see you brought your own**
14 **copy that you received with you today; is that right?**

15 A Right.

16 **Q Well, I'll just show you that the one we're**
17 **entering into the record is the same.**

18 A Okay.

19 **Q And then we'll put it here for our court**
20 **reporter so it doesn't get lost.**

21 A Just I do have one quick question.

22 **Q Sure.**

23 A I've got a conference call at 1 o'clock.

24 How long does this usually last? Is it a
25 pretty quick thing, or is it --

1 **Q I think we're going to be here until**
2 **5:00 p.m., but we can break briefly for your**
3 **conference call. We can coordinate our lunch break**
4 **around your conference call.**

5 A Okay.

6 **Q It all depends on how things go too --**

7 A Okay.

8 **Q -- and what we learn.**

9 A Yeah. Okay.

10 **Q But we had anticipated the entire day.**

11 A Okay. I don't see what we can talk about for
12 that long, but okay.

13 **Q And you're here today in response to the**
14 **investigational hearing Civil Investigative Demand of**
15 **July 5th, 2016; right?**

16 A Right.

17 **Q Okay. Now, before we go any further,**
18 **previously you received Civil Investigative Demands**
19 **asking for documents and information about certain**
20 **individuals --**

21 A Right.

22 **Q -- is that right?**

23 A Yeah.

24 **Q And you received one to yourself individually**
25 **and one to World Connection; is that correct?**

1 A Correct.

2 MR. BARLOW: And we'll mark those as the next
3 exhibits.

4 (Exhibits 181 and 182 marked.)

5 BY MR. BARLOW:

6 **Q And so Exhibit 181 is the Civil Investigative**
7 **Demand addressed to you personally, Andrew Salisbury.**

8 MR. BARLOW: It looks like this may be
9 several copies here.

10 MR. EVANS: It might be both stapled
11 together, because I only see the World Connection one.

12 BY MR. BARLOW:

13 **Q Okay. So Exhibit 181 is the Civil**
14 **Investigative Demand issued on April 18, 2016, to you**
15 **personally --**

16 A Okay.

17 **Q -- Andrew Salisbury at [REDACTED]**
18 **[REDACTED] Huntington Beach.**

19 **Is that your home address?**

20 A Yes.

21 **Q Okay. I'm showing you that exhibit.**

22 A Okay.

23 **Q And you have a copy of that with you today;**
24 **right?**

25 A I think so, yes.

1 **Q Great.**
2 **And you know what? Turn to the front page of**
3 **that exhibit for me, Exhibit 181.**

4 **Here. You can have that copy -- the record**
5 **copy in front of you.**

6 **It says in the middle of the first page**
7 **"Date and Time the Documents Must be Available,**
8 **May 9, 2016."**

9 A Right.

10 **Q Did you provide answers by May 9, 2016?**

11 A Yes, I did.

12 **Q How did you send those?**

13 A I sent them by mail. I went and had them
14 notarized and mailed them in two separate envelopes to
15 the address here.

16 **Q And then you got a letter from me later**
17 **saying that we never received any?**

18 A Right. I thought you said you never received
19 my -- I can't remember what you said. You never
20 received my personal or my World Connection one.

21 So I tried to upload those answers to your
22 site. I wasn't able to. Then I e-mailed them to you,
23 and then I didn't hear anything back, so I thought
24 everything was good.

25 And then, I don't know, maybe a week ago you

29

1 hearing today.

2 **Q And what did the two of you discuss?**

3 A Nothing. He just said good luck with it
4 pretty much or whatever, you know. I think he told me
5 he was in the process of settling something -- a
6 settlement.

7 **Q Did you ask him why we were bringing you in
8 to speak with us on the record?**

9 A Not today, but he -- I did a long time ago.
10 I asked him why -- what -- what my involvement was or
11 why I was getting called in.

12 **Q Well, we didn't -- we didn't ask you to come
13 and testify before. This is the first -- this CID is
14 the first time we've asked you to come testify in this
15 matter.**

16 A Oh, okay.

17 **Q When did you ask him why you were getting
18 called in?**

19 A I guess when I got the first letter a long
20 time ago.

21 **Q Okay. And what did he say?**

22 A He says, "I don't know." That's what he told
23 me. "I don't know why they would be asking you.
24 I guess they're asking everybody. They're calling
25 everybody" is what he said.

30

1 **Q When did you talk to Mike Jones about today's
2 investigational hearing?**

3 A The last time I spoke to him was last night
4 just telling him I was coming in today.

5 **Q And what else did you two talk about?**

6 A That was about it.

7 **Q Did you discuss an investigational hearing
8 held in this matter yesterday?**

9 A No.

10 **Q And when we say "Mike Jones," his first name
11 is actually Aaron; right?**

12 A Yes.

13 **Q It's Aaron Michael Jones?**

14 A Yeah.

15 **Q Okay. Did you talk to anybody else in the
16 world about this?**

17 A When I first got the letter I -- I talked to
18 Hugo at World Connection.

19 **Q And that's Hugo Vignolo? How do you
20 pronounce it?**

21 A Vignolo, yeah.

22 **Q Did you talk to your wife about it?**

23 A Probably. I'm sure I did.

24 **Q Let me go back and ask you: What did you
25 discuss with Mr. Vignolo?**

31

1 A I think I asked him if we had any payments
2 from any of the companies that were listed on the
3 sheet.

4 **Q And what did he tell you?**

5 A I think he told me that World Connection had
6 a payment -- had been getting some payments from
7 Prime Marketing. That was the only one.

8 **Q Okay. Anything else that you two discussed?**

9 A No, that was it.

10 **Q And what's his role at World Connection?**

11 A He's the CEO of World Connection, SA and the
12 owner.

13 **Q And when you say "World Connection, SA," is
14 that different from World Connection, LLC?**

15 A Yeah.

16 **Q What's the difference?**

17 A World Connection, SA is in Guatemala. It's
18 owned by -- Hugo and, I think, Roberto Herrera are the
19 two owners. World Connection, LLC is a US company
20 owned by myself and Tony Tseng.

21 **Q And what's the connection between the two
22 companies?**

23 A We market together. I started out as a
24 customer for World Connection through my company,
25 Connect Your Home. They were taking calls for it.

32

1 Developed some relationship, helped them with
2 some sales, did some business development for them,
3 and then opened up a center in the US maybe about a
4 year ago to try to help grow it and hoping to
5 eventually get some -- some ownership interest in the
6 company for helping them grow it.

7 **Q What's your title?**

8 **Oh, you're saying you were hoping to get an
9 ownership interest in World Connection, SA? Is that
10 what you're saying?**

11 A Right.

12 **Q So you talked to Hugo Vignolo, and then you
13 talked to your wife?**

14 A Right.

15 **Q What's your wife's name?**

16 A Sherrie.

17 **Q And what did you and Sherrie discuss?**

18 A I don't know. Just -- I think I told her
19 I got this thing from the FTC about six months ago.
20 I don't really remember.

21 **Q Did you talk to a lawyer at any time?**

22 A No.

23 **Q Just go over some basic background
24 information with you, not to do with any of your
25 companies specifically.**

8 (Pages 29 to 32)

1 A Yeah.
 2 **Q I'm sorry.**
 3 **And before you had an office at**
 4 **Local Lighthouse, did you know Richard Paik?**
 5 A No.
 6 **Q Well, let me --**
 7 A Or before I had an office on Red Hill, no.
 8 I mean, it might have been before Local Lighthouse.
 9 It was before Local Lighthouse, but --
 10 **Q It was a different company --**
 11 A Right.
 12 **Q -- before Local Lighthouse?**
 13 A He was an accountant for one of Mike's other
 14 companies.
 15 **Q Okay. And we've discussed "Justin Ramsey"**
 16 **a little bit already.**
 17 **Next on the list is "Steven Stansbury."**
 18 A Yes.
 19 **Q Do you know Mr. Stansbury?**
 20 A Yes.
 21 **Q How do you know him?**
 22 A He's worked for Mike for a long time,
 23 I think. I think he worked for Local Lighthouse.
 24 **Q Do you know him personally?**
 25 A Yeah.

1 **Q How many times have you met him personally?**
 2 A I don't know. Probably -- I mean, I was in
 3 the same building as him for quite a bit.
 4 **Q That's right.**
 5 **He had an office there too?**
 6 A He didn't work out of there regularly,
 7 I don't think. He was in there a lot, though, so
 8 I don't know.
 9 **Q Okay. What did he do for Local Lighthouse?**
 10 A I don't know. He was kind of a programmer,
 11 technical guy. I don't know what he did.
 12 **Q What about "Robert Terry"?**
 13 A He -- I met him -- I met him first playing
 14 softball with him, I think -- or no. Actually, I --
 15 I think he started working for me before I played
 16 softball.
 17 He worked for Connect Your Home. He worked
 18 for EBN Financial. He was one of our first employees.
 19 Oh, actually, I met him -- in the mortgage
 20 business is where I met him. He worked for -- he
 21 worked for one of my -- one of the other managers in
 22 the mortgage business that I worked for. Then when we
 23 started EBN Financial, he came and worked for us
 24 there.
 25 And then when EBN Financial outsourced its

1 call center to Guatemala, I introduced him to -- or
 2 recommended that he go work for Mike at Connect Your
 3 Home, and then he worked there for Mike.
 4 **Q I think you said he worked for Mike at**
 5 **Connect Your Home.**
 6 A Not Connect. I meant Local Lighthouse.
 7 **Q Okay. Just making sure.**
 8 **And you said you outsourced EBN -- you**
 9 **outsourced your call center to Guatemala?**
 10 A Right.
 11 **Q And is that World Connection, SA?**
 12 A Yes.
 13 **Q And when was that?**
 14 A I don't know. 2012 maybe. 2012 or '13
 15 probably.
 16 **Q And what did EBN Financial outsource to**
 17 **Guatemala?**
 18 A All of the salespeople.
 19 **Q What kind of sales did EBN Financial do?**
 20 A They sold Charter, Comcast, Time Warner,
 21 Dish Network. They couldn't sell ADT. They wouldn't
 22 let them sell it out of Guatemala, so they had to
 23 transfer those calls back to Defender, I believe.
 24 So they sold all the other products, and then
 25 at the end of the call they would ask people if they

1 were interested in ADT. If they were, then they would
 2 transfer it and get paid something for that.
 3 **Q So the calls would get transferred --**
 4 **EBN Financial had calls transferred to Guatemala, and**
 5 **this is around the 2012 time period?**
 6 A Right. 2012 up until maybe very recently up
 7 until a few months ago probably. Up until --
 8 **Q Okay.**
 9 A -- probably two or three months ago.
 10 **Q And I'm going to try to keep this straight**
 11 **here.**
 12 **So from 2012 to --**
 13 A EBN or Connect Your Home or however you want
 14 to call it. It's Connect Your Home.
 15 **Q Okay. EBN and/or Connect Your Home had calls**
 16 **transferred to Guatemala. And if the consumers were**
 17 **interested in home security, those calls would be then**
 18 **transferred to one of EBN or Connect Your Home's call**
 19 **centers back in the US?**
 20 A No. Not one of their call centers. Just a
 21 vendor affiliate.
 22 **Q A vendor affiliate back in the US?**
 23 A They would pay them for a lead or pay them if
 24 they sold something.
 25 **Q Okay. How did those calls -- EBN or Connect**

1 signature card?
 2 A I don't think it was me.
 3 Q Who do you think it was?
 4 A I don't have any idea.
 5 Q Well, who would have done it?
 6 A I don't know.
 7 MR. BARLOW: The next exhibit will be 209.
 8 (Exhibit 209 marked.)
 9 BY MR. BARLOW:
 10 Q 209 is a screenshot of the World Connection
 11 Web site from the page that -- "Our Team" or
 12 "Who We Are."
 13 A Right.
 14 Q Are you familiar with this?
 15 A Yeah.
 16 Q You're listed as the president; right?
 17 A Um-hum.
 18 Q It's a picture of you?
 19 A Right.
 20 Q The next person listed is Hugo Vignolo;
 21 right?
 22 A Correct.
 23 Q And it says CEO?
 24 A Right.
 25 Q And it's a picture of him?

1 A Right.
 2 Q Have you seen this page on the Web site?
 3 A Yeah.
 4 Q And it's an accurate reflection of it?
 5 A I think so.
 6 Q Okay. And Tony Tseng is there too; right?
 7 He's listed as vice president of US operations?
 8 A Right.
 9 Q Adam Bentley is director of US operations;
 10 right?
 11 A Right.
 12 Q Brad Salisbury is listed as business
 13 development.
 14 Is that your son?
 15 A Yeah.
 16 Q And then Jose Valiente is listed as director
 17 of operations; right?
 18 A Right.
 19 Q This Web site doesn't distinguish between
 20 World Connection, SA in Guatemala and World
 21 Connection, LLC in Idaho, does it?
 22 A Just in the addresses, I think. I guess, no.
 23 We're just marketing it together as World Connection.
 24 Q Right.
 25 If you turn the page -- it's tiny print, but

1 if I take my glasses off I can see it -- the
 2 "Contact Us," and it lists the addresses.
 3 Can you see it?
 4 A I can't, no.
 5 Q Okay. By the way, I have an investigator in
 6 Washington, DC who pulled screenshots of these and
 7 he's already signed a declaration under oath with
 8 better printed copies.
 9 A Okay.
 10 Q So I will represent to you that the quality
 11 of this print -- the problems with it are my own fault
 12 of this one here -- but our investigator has a better
 13 copy.
 14 A Okay.
 15 Q But if you turn to page 2 of this
 16 "Contact Us" at World Connection --
 17 A Okay.
 18 MR. BARLOW: Yeah. And this will be marked
 19 as 210 and entered into the record.
 20 THE WITNESS: Okay.
 21 (Exhibit 210 marked.)
 22 BY MR. BARLOW:
 23 Q And it says "Contact Us" and "Locations";
 24 right?
 25 A Right.

1 Q And it says "We built the company that we'd
 2 want to do business with. Get in touch"?
 3 A Right.
 4 Q And it doesn't distinguish between
 5 World Connection, LLC or World Connection, SA, does
 6 it?
 7 A Right. Yeah. We're marketing them together.
 8 Q You're jointly marketing?
 9 A We're marketing them together, yes.
 10 Q And to the world that accesses your Web site
 11 on the Internet, you look like one company; right?
 12 A Yeah.
 13 Q Let's stay with this on page -- strike that.
 14 Who pays the bills for these phone numbers?
 15 A World Connection in Guatemala has the phones.
 16 It's off of their phone system.
 17 Q And it pays for the Idaho phone number too?
 18 A Yeah. It's all one Cloud based phone system.
 19 Actually, I guess -- well, the number in Idaho is not
 20 really in Idaho. That's in Santa Ana.
 21 Q The number that your Web site tells the world
 22 is the contact number for Idaho, that's paid by --
 23 paid for by World Connection, SA in Guatemala?
 24 A Right.
 25 Q But that actually rings in Santa Ana?

197

1 A Correct.
2 **Q Where in Santa Ana?**
3 A At my office.
4 **Q Now, when did you form World Connection, LLC?**
5 A Sometime in 2015, I believe.
6 **Q Showing you the next exhibit, which will be**
7 **marked as Exhibit 211.**
8 **(Exhibit 211 marked.)**
9 BY MR. BARLOW:
10 **Q It's a "Certificate of Organization" filed**
11 **with the Secretary of State of the state of Idaho.**
12 A Okay.
13 **Q It lists Andrew Salisbury and Tony Tseng --**
14 A Right.
15 **Q -- as the members of the limited liability**
16 **company for World Connection, LLC; is that right?**
17 A Correct.
18 **Q And you listed the address here as 1558 North**
19 **Crestmont, Meridian, Idaho?**
20 A Right.
21 **Q What's that address?**
22 A That was Tony and Adam's address before we
23 got into our own site. So we tried to acquire a small
24 call center that they had, but -- or actually we tried
25 to co-use their space with them.

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1 So we tried to get our name out there and be
2 able to advertise that we had a location in Guatemala
3 and a place to bring customers. Then we decided to
4 just move into our own larger place, which is the one
5 on Kimball.
6 **Q Who were you sharing space with in the**
7 **beginning?**
8 A I don't know the name of the company, but
9 Tony and Adam's center that they had there. I believe
10 it was owned by Adam.
11 **Q Adam Bentley?**
12 A Yes.
13 **Q And Tony Tseng?**
14 A Yeah.
15 **Q And the 1558 North Crestmont address, is that**
16 **a residence or a business?**
17 A I believe that one is a business. Yeah, that
18 is a business.
19 **Q And the date of incorporation here is**
20 **July 13th, 2015?**
21 A Sounds right, yeah.
22 **Q What caused you to incorporate that in July?**
23 A We -- just going to the trade shows, we were
24 finding a lot more people are interested in having
25 some onshore presence.

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1 So we had a couple customers that said,
2 "Hey, we'd like to have some offshore, some onshore."
3 Certain businesses won't go offshore -- credit unions,
4 government agencies -- you know, certain people just
5 don't want their calls answered offshore.
6 So we realized that to be competitive we were
7 eventually going to need to have more locations and
8 try to get something -- something in the US as well.
9 Boise is a cheap cost of labor area, so
10 that's the reason we did Boise. And we had an
11 opportunity to get in without a lot of money.
12 You know, have a space we could start showing people.
13 **Q But you had been operating it before 2015 --**
14 **before July 13th, 2015?**
15 A No. No. We didn't operate until after that.
16 I mean, probably significantly later than that before
17 we had any of our own business, so.
18 **Q And how did you pick the name**
19 **World Connection?**
20 A It was there before I started, so I don't
21 know. Hugo picked it, I guess.
22 **Q And --**
23 MR. EVANS: Would you call World Connection a
24 BPO or Business Process Outsourcing?
25 THE WITNESS: Yeah.

200

1 BY MR. BARLOW:
2 **Q What does that mean to you?**
3 A It means they'll handle back office stuff as
4 well as inbound calls, customer service, tech support.
5 Pretty much any type -- you know, outsource any type
6 of work that you would want done.
7 Back office work, handle customer service,
8 tech support. I mean, I guess it's synonymous with
9 contact center. I mean, we do chats and e-mails as
10 well.
11 People used to call them call centers, but I
12 think they changed it because they're handling a lot
13 more than calls. Now we do chats and e-mails and some
14 back office type stuff.
15 We're not really doing that much back office,
16 but some people do -- I wouldn't say filing, but maybe
17 they do some -- you know, I don't know what -- what
18 type of back office some people might do, but --
19 you know, building Web sites or something could be
20 back office or putting photos together or whatever.
21 MR. EVANS: So is it an all purpose BPO?
22 If somebody came to you with a proposal to do any kind
23 of a business process offshore, World Connection would
24 try to handle it?
25 THE WITNESS: If it was -- if it made sense

201

1 and it was profitable, yeah.
 2 MR. EVANS: How many people work in the
 3 World Connection offices in Guatemala?
 4 THE WITNESS: It varies, because we do some
 5 ramp-ups for like flower season for Teleflora and for
 6 World Wrestling and things like that. So it can be
 7 anywhere from 120 to 300, depending on the season.
 8 MR. EVANS: Thanks.
 9 MR. BARLOW: The next exhibit we will mark
 10 as?
 11 MR. EVANS: We're on 212.
 12 (Exhibit 212 marked.)
 13 BY MR. BARLOW:
 14 **Q This is Exhibit 212, and this is a filing**
 15 **from the California Secretary of State for World**
 16 **Connection USA, LLC.**
 17 A Yeah.
 18 **Q And Mr. Evans will hand that to you in a**
 19 **minute.**
 20 A Okay.
 21 **Q And that was incorporated on May 24th, 2012;**
 22 **is that right?**
 23 A That's what it says, yeah.
 24 **Q And who's the initial agent for service of**
 25 **process?**

202

1 A It says Nick Long.
 2 **Q And you know Nick Long; right?**
 3 A Yeah. He's the one who introduced me to the
 4 guys at World Connection.
 5 **Q And you've also been a business partner with**
 6 **Nick Long; right?**
 7 A Yes.
 8 **Q And you've shared office space with**
 9 **Nick Long?**
 10 A Right.
 11 **Q Was Nick Long sued with you in Texas?**
 12 A I don't recall. I believe so.
 13 **Q I don't recall if it was Nick or Christopher.**
 14 A It was Nick. It wasn't Chris.
 15 **Q Okay. So you've done business with him.**
 16 **You've been business partners. You've signed bank**
 17 **accounts together for years. You've shared office**
 18 **space. All that's correct; right?**
 19 A Right.
 20 **Q And here he's the registered agent for**
 21 **World Connection USA, LLC?**
 22 A Right.
 23 **Q Now, let's turn to page 3.**
 24 A Okay.
 25 **Q And the address listed there is**

203

1 **15941 Red Hill, Suite 210; isn't that right?**
 2 A That's correct.
 3 **Q And that was the same address that**
 4 **Secure Alliance was paying EBN Financial and Connect**
 5 **Your Home for; right?**
 6 A Yes.
 7 **Q And also in the 2012, 2013 time frame; right?**
 8 A Yeah. I don't know the time frame, but,
 9 yeah, probably.
 10 **Q And you had your office in that space; right?**
 11 A Yes.
 12 **Q So you had an office in the same place that**
 13 **World Connection USA, LLC was?**
 14 A They didn't have any agents or an office
 15 there. I think Nick just listed that as a -- as an
 16 address.
 17 **Q Why did he list that as an address?**
 18 A Because he had an office there.
 19 **Q He had an office there too?**
 20 A I believe so. That's why, I would guess,
 21 he listed it.
 22 **Q And you had an office there too at the same**
 23 **time?**
 24 A Yes.
 25 **Q But you didn't have anything to do with this**

204

1 **entity?**
 2 A Not at that time. Never to do with this
 3 entity.
 4 So let me explain how I became involved in
 5 World Connection.
 6 **Q Um-hum.**
 7 A Nick was involved in World Connection,
 8 partners -- initial partners with Hugo. Somebody told
 9 Hugo that Nick could get him a bunch of customers.
 10 So Hugo called Nick, and Nick said, "I don't
 11 know why the guy told you that. I can't get you these
 12 customers."
 13 Anyway, they started talking and he says,
 14 "Well, maybe I can, you know, find some business for
 15 you."
 16 So they became partners. Nick was going to
 17 be an equity partner in World Connection. I never
 18 knew they formed World Connection USA, LLC. I just
 19 knew that they were partners -- maybe not -- you know,
 20 not -- maybe not on paper, but in agreement down in
 21 Guatemala.
 22 Nick had another -- Nick had other
 23 businesses. Nick had another business that built
 24 Web sites or did something for Web sites. He asked
 25 Hugo's partner to put money into it, which was --

51 (Pages 201 to 204)

205

1 I don't know. He borrowed from his mom or something
2 like that.

3 So he put money into it and -- and it fell
4 apart. The business didn't go anywhere. Then they
5 had a falling out with -- with Nick, and Nick kind of
6 got -- I think Nick said, "Hey, I'll give up my shares
7 in World Connection in exchange for the money you
8 lost."

9 So he stepped out of the company. But while
10 Nick was there -- the reason how I ended up getting
11 down there with Connect Your Home is we were
12 struggling to make our call center in Orange County
13 work.

14 And Nick said, "Hey, I know these guys" --
15 this is probably the first time he started meeting
16 these guys, and I think we were one of their first
17 customers that probably saved them from going under --
18 he said, "I know these guys that can do" -- "I know
19 this call center in Guatemala and they're really good.
20 They can do this stuff for half the price of what
21 you're paying in Orange County."

22 I said, "Okay."

23 He introduced me to him and started testing
24 and they did a good job and then we gradually moved
25 our call center.

206

1 So we're working there -- Nick brought me to
2 World Connection as a customer. Nick was representing
3 them. He probably formed this agreement to do sales
4 on their behalf or something.

5 Nick was representing them as a salesman at
6 the time, I guess. They didn't feel he was working
7 that hard in it. He lost them some money. They had a
8 falling out.

9 I'm down there. My company's working. We're
10 going forward. I helped him on a couple of sales
11 calls when they would have clients call in and try to
12 figure out how to sell them.

13 Eventually they asked me if I would be
14 interested in doing some work with them. You know,
15 maybe getting paid some commissions for bringing in
16 some new customers, and eventually, if things worked
17 out, that I could get some equity in the company.

18 So that's how it all came about. This
19 company I never heard of. I don't -- I mean, I knew
20 Nick was part of World Connection or was connected
21 with the guys at World Connection, but I didn't know
22 he formed his own company in the US.

23 **Q Okay. This company was formed on June 1st,**
24 **2012.**

25 **When did you first begin interacting with**

207

1 **World Connection, SA in Guatemala?**

2 A I'm trying to think when we -- it was
3 sometime in 2012. I believe it was 2012 that Connect
4 Your Home first started bringing some agents down
5 there.

6 I don't know the date, but I think it was
7 around 2012. It could have been '13.

8 **Q And what do you mean Connect Your Home**
9 **started bringing agents down?**

10 A Started using agents at World Connection.

11 **Q What did you use them for?**

12 A To sell cable TV and Dish Network. Started
13 out with just cable TV, and then they got approved
14 later by Dish Network much later.

15 **Q And how did you market -- how did you**
16 **generate those calls to get to Guatemala?**

17 A Off of all of their different Web sites that
18 Connect Your Home has, Utility Direct -- I mean,
19 Utility Direct wasn't generating calls at that time,
20 but Connect Your Home and different pay-per calls.

21 We have a contract for the phone number 1-800
22 Charter, which is a misdial. So if people dial 1-800
23 Charter instead of 855 Charter or whatever the number
24 Charter has -- the guy that owns 800 Charter sold
25 us -- you know, we pay him so much a month for all the

208

1 calls that come off of that.

2 So we get Charter calls from that. We
3 have -- I mean, we get calls from, you know, probably
4 50, 100 different places. Web sites, advertising
5 through Boeing -- being on the Boeing employee
6 Web site, being on different companies's employee
7 discount Web sites.

8 So everything -- we don't do any
9 telemarketing. Connect Your Home does zero
10 telemarketing. No Robocalling.

11 **Q And what about in 2013?**

12 A None.

13 **Q And 2014?**

14 A None.

15 **Q And what about World Connection in Guatemala?**

16 A No. They don't do any -- they don't do any
17 of their own marketing. They just take calls.

18 **Q And was Connect Your Home doing home security**
19 **in 2013, 2014?**

20 A They weren't selling it themselves, but I
21 believe they were asking the cable customer at the end
22 of the call if they were interested in home security
23 and trying to transfer them.

24 I don't know if they were doing it in '13,
25 but they've done it in the last few years. I don't

52 (Pages 205 to 208)

1 connection between that and Hugo Vignolo.
 2 **Q Now, if you'll turn to the second page of**
 3 **this exhibit, it says "Deposit only to [REDACTED] 8654**
 4 **Wells Fargo Bank."**
 5 A Um-hum.
 6 **Q Is that a World Connection account?**
 7 A I don't believe so.
 8 **Q Let me ask you this real clearly: When I get**
 9 **that bank statement -- that signature card, is your**
 10 **name going to be on that signature card?**
 11 A No.
 12 **Q As a man of God under oath?**
 13 A I'm telling you I'm not on the signature card
 14 for that account.
 15 (Exhibit 215 marked.)
 16 BY MR. BARLOW:
 17 **Q Okay. Now, 215 is a printed report from the**
 18 **Secretary of State for Idaho concerning Paramount**
 19 **Data & Leads. It's an annual report filed by**
 20 **Adam Bentley on behalf of Paramount Data & Leads.**
 21 A Yeah. That's not my company. There must be
 22 another company called Paramount Data & Leads.
 23 That doesn't have anything to do with me.
 24 **Q It has nothing to do with**
 25 **Paramount Marketing?**

1 A Right.
 2 **Q You represent to the world that he's a member**
 3 **of your team?**
 4 A Yes. It's not -- Paramount Data & Leads
 5 is -- probably Google it. It's probably some other
 6 company. I've never heard of it, but it's not
 7 Paramount Marketing.
 8 **Q Does Mike Jones have anything to do with**
 9 **World Connection?**
 10 A Not currently.
 11 **Q Did he?**
 12 A He was going to be -- he was going to
 13 invest -- or he was investing to help buy stock, and
 14 then he was -- ended up getting bought out.
 15 He put in like \$33,000 into buying --
 16 10 percent or 15 percent stock, I think, he was going
 17 to have. I think it was 15 percent -- to pay for some
 18 start-up fees, and then I was going to work for my
 19 shares in the company.
 20 And he ended up needing cash, I don't know
 21 how long ago, so they bought him out. World
 22 Connection Guatemala bought Mike out for maybe three
 23 times what he paid them, or something like that.
 24 **Q When was this?**
 25 A Over two years ago.

1 A No.
 2 **Q Despite the similarity in names?**
 3 A Despite the similarity in names.
 4 **Q And despite that it shares an address with**
 5 **World Connection?**
 6 A Right. Yeah. Paramount Data & Leads must be
 7 a completely different company.
 8 **Q Nothing at all to do with you?**
 9 A No.
 10 **Q You can see how one might speculate that it**
 11 **does, though, because it shares an address with a**
 12 **company that you're the president of; right?**
 13 A Yeah.
 14 **Q And it sounds a lot like your company; right?**
 15 A But it's not.
 16 **Q And Adam Bentley is an officer of your**
 17 **company?**
 18 A No, he's not.
 19 **Q What's his title with World Connection?**
 20 A Director of operations.
 21 **Q That's not an officer?**
 22 A A corporate officer.
 23 **Q Got you.**
 24 **He has his picture on the "Our Team"**
 25 **Web page; right?**

1 **Q When did he buy in?**
 2 A Probably two and a half years ago maybe.
 3 **Q And when did they buy him out?**
 4 A Maybe a year ago.
 5 **Q What about going back for like 2013? Did he**
 6 **have any connection to it then?**
 7 A He had a potential for some ownership
 8 distributions at that time, yeah.
 9 **Q What does that mean, he had a potential?**
 10 A We were having -- we had some -- yeah, at
 11 that time he was probably still at his 15 percent.
 12 **Q In 2013 he had 15 percent in the company?**
 13 A Right. Not on paper or anything. Just they
 14 agreed to pay a percentage of profits to him and me
 15 until such time as the company got to a certain point
 16 and then I could get vested in stock and he could get
 17 vested in stock.
 18 Because there were some other investors that
 19 they had to gradually buy out, and so most of our --
 20 anything that would be earned out of our percentages
 21 was going to go to buy those investors out. My
 22 working and him really not doing anything into the
 23 company but putting in the initial 33,000. I mean, he
 24 put in the money, so.
 25 **Q When -- when did the money go in?**

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1 A About two and a half years ago probably.
 2 **Q Well, we're in the middle of 2016 now. So**
 3 **two and a half years ago would be early '14. I'm**
 4 **talking about back in 2013.**
 5 A It could have been. It could have been three
 6 years ago. I don't know the exact date.
 7 **Q But the deal was you and Mike were going to**
 8 **get paid an equity --**
 9 A Right.
 10 **Q -- interest?**
 11 **Even though you're not owners on the books**
 12 **technically --**
 13 A Right.
 14 **Q -- of World Connection, SA you were going to**
 15 **share in the profits?**
 16 A Right.
 17 **Q And you were going to get seven and a half**
 18 **percentage?**
 19 A No. I was going to get a higher percentage.
 20 I was going to get 30 percent. He was going to get
 21 15 percent of the profits.
 22 **Q So you were going to get 30 percent of the**
 23 **profits of World Connection, SA Guatemala?**
 24 A Right.
 25 **Q And how long a time period was that?**

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1 A After -- I don't know. Like three years ago.
 2 It was going to be after -- it was going to take about
 3 two and a half, three years to -- you know, to pay off
 4 the initial investors before we probably would start
 5 seeing a profit.
 6 Maybe it was a little bit before that.
 7 I don't know. They had a certain -- you know,
 8 anything over -- up to a certain amount had to go as a
 9 payment to those people; and if there was anything
 10 left over, we would get a small chunk of that.
 11 **Q And this was all an oral agreement?**
 12 A Yeah.
 13 **Q With who?**
 14 A With Hugo.
 15 **Q And did anybody else know about this oral**
 16 **agreement?**
 17 A Maybe. I don't know. Bobby, his -- Hugo's
 18 partner, Bobby.
 19 MR. EVANS: What would have happened if he
 20 had -- if the company had grown but he refused to pay
 21 you?
 22 THE WITNESS: I didn't feel like that was
 23 going to -- was going to happen. I think we signed --
 24 we probably signed some paperwork in Guatemala on it
 25 that -- you know, in Spanish or something. I don't --

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1 you know, I think we have some paperwork somewhere on
 2 it, but -- but I don't -- you know, I don't know what
 3 would happen.
 4 If they didn't pay, then you're kind of --
 5 you know, you go sue somebody in Guatemala and good
 6 luck.
 7 MR. EVANS: That was going to be my next
 8 question.
 9 THE WITNESS: Right.
 10 //
 11 BY MR. BARLOW:
 12 **Q James and I will schedule the hearings in**
 13 **Guatemala for the winter.**
 14 MR. BARLOW: Let's go off the record.
 15 THE WITNESS: It's just like --
 16 MR. BARLOW: Let's stay on the record.
 17 **Q Go ahead.**
 18 A I was just going to say it's like a lot of
 19 businesses. You just have to trust your partners in
 20 it. Mike got burned in some of his, and some he
 21 didn't, I guess, you know.
 22 MR. EVANS: Makes sense.
 23 MR. BARLOW: Let's go off the record real
 24 quick.
 25 (Discussion off the record.)

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1 BY MR. BARLOW:
 2 **Q I just want to show you something -- I'm not**
 3 **going to go over it in great detail -- and see if this**
 4 **refreshes your recollection about time frame. I'm**
 5 **just going to pull that real quick for the time frame.**
 6 **We're not going to enter this into the**
 7 **record -- well, we can. We'll enter it into the**
 8 **record and just go --**
 9 MR. EVANS: I think that would be preferable.
 10 MR. BARLOW: This will be Exhibit 216.
 11 (Exhibit 216 marked.)
 12 BY MR. BARLOW:
 13 **Q I just want to show you page 7. This is bank**
 14 **statements from Allorey, Inc.**
 15 **On page 7 of these bank statements -- it's**
 16 **April of 2013 --**
 17 A Okay.
 18 **Q -- there's a wire transfer from Allorey for**
 19 **\$5,000 to Banco Industrial, the beneficiary is**
 20 **World Connection.**
 21 A Okay.
 22 **Q And the payment description is "Mike and**
 23 **Andy."**
 24 **So does it make sense, then, that in April of**
 25 **2013 you and Mike Jones had your agreement in place**

1 when they decided to kick Mike out.
 2 **Q That was around July 2015; right?**
 3 A I don't know.
 4 **Q June 2015?**
 5 A Maybe. I don't know the date.
 6 **Q Okay. What about in 2014?**
 7 A I don't think so.
 8 **Q Now, earlier in the day you also testified**
 9 **that you had an office in Local Lighthouse's offices**
 10 **right in the beginning too?**
 11 A Um-hum.
 12 **Q So you had an office there right in the**
 13 **beginning when Local Lighthouse was formed, and then**
 14 **right there at the end?**
 15 A Not at the end because at the end I got --
 16 I had to leave because they grew too big. So I
 17 probably left in -- I don't know when it was. I left
 18 a long time before that just because they didn't have
 19 an office for me.
 20 So I worked from my house for a while, and
 21 then eventually I got that office in Santa Ana.
 22 **Q But you just like two minutes ago said right**
 23 **at the end is when they --**
 24 A Well, I would go by there. I would go by and
 25 talk to them.

1 **Q Oh.**
 2 A I was up the street from them. So if I was
 3 going to get lunch or something, I'd swing by. I had
 4 friends in the office. Go grab a coffee at their
 5 office -- you know, they had a free coffee machine.
 6 Grab a coffee and say hi to some people. "How's it
 7 going?" That type of stuff.
 8 **Q Who were your friends in the office?**
 9 A I used to -- I would say Richard and Eric is
 10 who I used to talk to, and then -- but ever since I --
 11 ever since all these problems happened with Mike where
 12 they took away all of his -- you know, stopped paying
 13 him and told him that they weren't going to have him
 14 as part of the company, I haven't been communicating
 15 with them at all anymore.
 16 **Q Okay.**
 17 MR. EVANS: Quick question.
 18 Do you know Michael Montes?
 19 THE WITNESS: Yeah. He worked for
 20 Sound Media Group, I don't know, back -- I don't think
 21 I've seen him or heard from him since probably 2004.
 22 MR. EVANS: Okay.
 23 THE WITNESS: I think he's in a different
 24 state now, or somebody said he's out on a ranch
 25 somewhere. I don't know where he's at.

1 MR. EVANS: And that's spelled M-o-n-t-e-s?
 2 THE WITNESS: I believe so.
 3 BY MR. BARLOW:
 4 **Q And what about Connexus? Were you involved**
 5 **with Connexus?**
 6 A The name sounds familiar, but I don't know.
 7 **Q And what about TelServer? Do you know**
 8 **anything about a company named TelServer?**
 9 A I thought that's just what Jaime's servers
 10 are called. I don't think it's a company name.
 11 **Q To your knowledge, that's a Jaime Christiano**
 12 **entity?**
 13 A I don't know that it's even an entity.
 14 **Q Okay. And what about Mike Marderescu?**
 15 **Do you know him?**
 16 A Yeah. I've talked to him before. I met him
 17 once, I think. I think he's friends with -- with
 18 Mike Jones or did some business were Mike Jones.
 19 **Q You don't have any business dealings with**
 20 **him?**
 21 A No.
 22 **Q What about Bryce Purdue? Do you know him?**
 23 A I never met him. I know the name.
 24 **Q How do you know the name?**
 25 A Hearing Mike talk about him.

1 **Q Well, what did Mike say about him?**
 2 A I don't remember. I just know the name.
 3 I don't know. If he did some business with him or
 4 something.
 5 MR. EVANS: I think you said Connexus.
 6 What about Connexion? Does that ring a bell
 7 at all?
 8 THE WITNESS: No.
 9 BY MR. BARLOW:
 10 **Q I think that's it for us.**
 11 **We can go off the record. We may have a**
 12 **little follow-up on a few items.**
 13 A Okay.
 14 **Q And maybe we can make arrangements to do**
 15 **that.**
 16 MR. EVANS: I'm sorry. Can I throw in one or
 17 two more questions?
 18 Are you aware of the Web site dialer.to?
 19 Does that mean anything to you?
 20 THE WITNESS: No.
 21 MR. EVANS: And what about Manchester
 22 Services?
 23 THE WITNESS: That sounds familiar.
 24 MR. EVANS: And a gentleman Robert Poston?
 25 THE WITNESS: Don't know him.

Salisbury
#1085

Allorey, Inc.

7/20/2016

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1 MR. EVANS: Okay. That is actually the end
 2 of my list now.
 3 MR. BARLOW: Okay. And we're going to leave
 4 this record open because we did lose a couple of hours
 5 today from Mr. Salisbury's appointment. So we may
 6 need to reconvene briefly, but we'll -- we'll assess
 7 that later on.
 8 So for now the record is open, but we are
 9 done for the day. Thank you for your time.
 10 THE WITNESS: Okay. Thank you.
 11 MR. BARLOW: And with that, the record is
 12 closed.
 13 (End of proceedings 5:08 p.m.)
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1
 2 I, the undersigned, a Certified Shorthand
 3 Reporter of the State of California, do hereby
 4 certify:
 5 That the foregoing proceedings were taken
 6 before me at the time and place herein set forth; that
 7 any witnesses in the foregoing proceedings, prior to
 8 testifying, were placed under oath; that a verbatim
 9 record of the proceedings was made by me using machine
 10 shorthand which was thereafter transcribed under my
 11 direction; further, that the foregoing is an accurate
 12 transcription thereof.
 13 I further certify that I am neither
 14 financially interested in the action nor a relative or
 15 employee of any attorney of any of the parties.
 16 IN WITNESS WHEREOF, I have this date
 17 subscribed my name.
 18
 19 Dated: _____
 20
 21 _____
 22 KIMBERLY CATHEY
 23 CSR No. 10701
 24
 25

78 (Pages 309 to 310)

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Federal Trade Commission,

Plaintiff,

vs.

James Christiano, also known as Jamie Christiano, individually and as an owner, officer, or manager of NetDotSolutions, Inc. and TeraMESH Networks, Inc.;

NetDotSolutions, Inc., a California corporation;

TeraMESH Networks, Inc., a California corporation;

Andrew Salisbury, also known as Andy Salisbury, individually and as an owner, officer, manager, or *de facto* owner, officer, or manager of World Connection USA, LLC, World Connection, LLC, and World Connection, S.A.;

World Connection USA, LLC, a California limited liability company;

No. 8:18-cv-00936 DOC (AGR_x)

[Proposed]

**Default Judgment and Final Order
for Permanent Injunction as to
Defendant World Connection USA,
LLC**

1 **World Connection, LLC**, an Idaho
2 limited liability company;
3 **World Connection, S.A.**, a Guatemalan
4 business entity; and
5 Defendants.

6
7 Plaintiff, the Federal Trade Commission (“Commission” or “FTC”), filed its
8 Complaint for Civil Penalties, Permanent Injunction and Other Relief
9 (“Complaint”) pursuant to Sections 5(a), 5(m)(1)(A), 13(b), and 16(a) of the
10 Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §§ 45(a), 45(m)(1)(A),
11 53(b), and 56(a), and Section 6 of the Telemarketing and Consumer Fraud and
12 Abuse Prevention Act (the “Telemarketing Act”), 15 U.S.C. § 6105 (Docket No. 1).

13 Defendant World Connection USA, LLC is in default for failing to plead or
14 otherwise defend (Docket No. 34). The FTC has applied for the entry of default
15 judgment against Defendant World Connection USA, LLC.

16 Having considered the Complaint, the Application for Default Judgment and
17 Permanent Injunction Against Defendant World Connection USA, LLC, and the
18 evidence filed therewith, **it is hereby ordered** that the FTC’s Application is
19 **granted** as follows:

20 **FINDINGS**

- 21 1. This Court has jurisdiction over this matter.
- 22 2. The Complaint charges that Defendants participated in acts or
23 practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, and the FTC’s
24 Telemarketing Sales Rule (the “TSR” or “Rule”), as amended, 16 C.F.R. Part 310.
25 Specifically, the Complaint alleges that Defendant World Connection USA, LLC
26 violated four provisions of the TSR:
- 27
28

- 1 a) Initiating or causing the initiation of outbound telephone calls
2 that delivered prerecorded messages to induce the sale of goods
3 or services, in violation of 16 C.F.R. § 310.4(b)(1)(v);
4 b) Initiating or causing the initiation of outbound telephone calls
5 to telephone numbers on the National DNC Registry to induce
6 the purchase of goods or services, in violation of 16 C.F.R.
7 § 310.4(b)(1)(iii)(B);
8 c) Failing to transmit or cause to be transmitted to caller
9 identification services the telephone number and name of the
10 telemarketer making the call, or the customer service number
11 and name of the seller on whose behalf the telemarketer called,
12 in violation of 16 C.F.R. § 310.4(a)(8); and
13 d) Assisting and facilitating sellers and/or telemarketers engaged
14 in conduct that violated the three TSR provisions cited above,
15 while knowing, or consciously avoiding knowing, that the
16 sellers and/or telemarketers were engaged in such conduct, in
17 violation of 16 C.F.R. § 310.3(b).

18 A violation of the TSR constitutes a violation of Section 5 of the FTC Act. *See* 15
19 U.S.C. § 6102(c); 15 U.S.C. § 57a(d)(3).

20 3. Defendant World Connection USA, LLC is in default and the entry of
21 default judgment against it is warranted.

22 4. This Order resolves all matters in dispute in this action between the
23 FTC and Defendant World Connection USA, LLC, but not as to any other person,
24 such as an indemnitee.

25 DEFINITIONS

26 For the purpose of this Order, the following definitions apply:

27 A. “**Assisting Others**” includes, among other conduct, receiving an
28 inbound call that was generated through an Outbound Telephone Call.

1 B. **“Caller Identification Service”** means a service that allows a
2 telephone subscriber to have the telephone number, and, where available, name of
3 the calling party transmitted contemporaneously with the telephone call, and
4 displayed on a device in or connected to the subscriber’s telephone.

5 C. **“Defendant WC-USA”** means World Connection USA, LLC, an
6 Idaho limited liability company, and its successors and assigns.

7 D. **“Established Business Relationship”** means a relationship between a
8 Seller and a consumer based on:

- 9 1) The consumer’s purchase, rental, or lease of the Seller’s goods
10 or services or a financial transaction between the consumer and
11 seller, within the eighteen (18) months immediately preceding
12 the date of a Telemarketing call; or
13 2) The consumer’s inquiry or application regarding a product or
14 service offered by the Seller, within the three (3) months
15 immediately preceding the date of a Telemarketing call.

16 E. **“Outbound Telephone Call”** means a telephone call initiated by a
17 Telemarketer to induce the purchase of goods or services or to solicit a charitable
18 contribution.

19 F. **“Person”** means any individual, group, unincorporated association,
20 limited or general partnership, corporation, or other business entity.

21 G. **“Seller”** means any Person who, in connection with a Telemarketing
22 transaction, provides, offers to provide, or arranges for others to provide goods or
23 services to the customer in exchange for consideration, whether or not such Person
24 is under the jurisdiction of the Commission.

25 H. **“Telemarketer”** means any Person who, in connection with
26 Telemarketing, initiates or receives telephone calls to or from a customer or donor.

27 I. **“Telemarketing”** means a plan, program, or campaign which is
28 conducted to induce the purchase of goods or services or a charitable contribution,

1 by use of one or more telephones and which involves more than one interstate
2 telephone call.

3 **ORDER**

4 **I**

5 **Permanent Ban on Robocalls**

6 **It is ordered** that the Defendant WC-USA, whether acting directly or
7 through an intermediary, **is permanently restrained and enjoined from:**

8 A. Engaging in, causing others to engage in, or Assisting Others
9 engaging in the initiation of any Outbound Telephone Call that delivers a
10 prerecorded message, unless Defendant WC-USA proves that such prerecorded
11 message was delivered for the purposes of Section II.C.3 of this Order.

12 B. Holding any ownership interest, share, or stock in any business that
13 engages in any of the acts and practices listed in paragraph A of this Section.

14 **II**

15 **Prohibitions on Abusive Telemarketing**

16 **It is further ordered** that Defendant WC-USA, its officers, agents,
17 employees, and attorneys, and all other persons in active concert or participation
18 with any of them, who receive actual notice of this Order, whether acting directly
19 or indirectly, in connection with Telemarketing, **are permanently restrained and**
20 **enjoined** from engaging in, causing others to engage in, or Assisting Others
21 engaging in, any of the following practices:

22 A. Initiating any Outbound Telephone Call to any telephone number
23 listed for more than 31 days on the National Do Not Call Registry, unless
24 Defendant WC-USA proves that the call was placed on behalf of a Seller to a
25 person from whom the Seller had:

- 26 1) Obtained the express agreement, in writing, of such person to
27 place calls to that person—such written agreement must clearly
28 evidence such person’s authorization that calls made by or on

1 behalf of the Seller may be placed to that person, and must
2 include the telephone number to which the calls may be placed
3 and the signature of that person; or

- 4 2) An Established Business Relationship with such person, and
5 that person has not stated that he or she does not wish to receive
6 Outbound Telephone Calls made by or on behalf of the Seller.

7 B. Initiating any Outbound Telephone Call to a person when that person
8 has previously stated that he or she does not wish to receive an Outbound
9 Telephone Call made by or on behalf of either the Seller whose goods or services
10 are being offered, or made by or on behalf of the charitable organization for which
11 a charitable contribution is being solicited.

12 C. Abandoning any Outbound Telephone Call to a person by failing to
13 connect the call to a live operator within two seconds of the person's completed
14 greeting, unless Defendant WC-USA proves that the following four conditions are
15 met:

- 16 1) The caller employs technology that ensures abandonment of no
17 more than three percent of all calls answered by a person,
18 measured over the duration of a single calling campaign, if less
19 than thirty days, or separately over each successive 30-day
20 period or portion thereof that the campaign continues;
- 21 2) The caller, for each telemarketing call placed, allows the
22 telephone to ring for at least fifteen seconds or four rings before
23 disconnecting an unanswered call;
- 24 3) Whenever a live operator is not available to speak with the
25 person answering the call within two seconds after the person's
26 completed greeting, the caller promptly plays a recorded
27 message that states the name and telephone number of the seller
28

1 or charitable organization on whose behalf the call was placed;
2 and

- 3 4) The caller retains records, in accordance with 16 C.F.R.
4 § 310.5(b)-(d), establishing compliance with the preceding
5 three conditions.

6 D. Failing to disclose truthfully, promptly and in a clear and conspicuous
7 manner the identity of the Seller, that the purpose of the call is to sell goods or
8 services, and the nature of the goods or services.

9 E. Failing to transmit or cause to be transmitted to any Caller
10 Identification Service in use by a recipient of a telemarketing call: (i) the telephone
11 number of the telemarketer making the call, or the telephone number for customer
12 service of the seller on whose behalf the call is made; and, (ii) when made
13 available by the telemarketer's carrier, the name of the telemarketer or seller to any
14 Caller Identification Service in use by a recipient of a telemarketing call.

15 F. Violating the Telemarketing Sales Rule, 16 C.F.R. Part 310, a copy of
16 which is attached to this Order as Attachment A.

17 III

18 Order Acknowledgments

19 **It is further ordered** that Defendant WC-USA obtain acknowledgments of
20 receipt of this Order:

21 A. Defendant WC-USA, within seven days of entry of this Order, must
22 submit to the Commission an acknowledgment of receipt of this Order sworn
23 under penalty of perjury.

24 B. For five years after entry of this Order, Defendant WC-USA must
25 deliver a copy of this Order to: (1) all principals, officers, directors, and LLC
26 managers and members; (2) all employees having managerial responsibilities for
27 conduct related to the subject matter of the Order and all agents and representatives
28 who participate in conduct related to the subject matter of the Order; and (3) any

1 business entity resulting from any change in structure as set forth in the Section
2 titled Compliance Reporting. Delivery must occur within seven days of entry of
3 this Order for current personnel. For all others, delivery must occur before they
4 assume their responsibilities.

5 C. From each individual or entity to which Defendant WC-USA
6 delivered a copy of this Order, it must obtain, within 30 days, a signed and dated
7 acknowledgment of receipt of this Order.

8 IV

9 Compliance Reporting

10 **It is further ordered** that Defendant WC-USA make timely submissions to
11 the Commission:

12 A. One year after entry of this Order, Defendant WC-USA must submit a
13 compliance report, sworn under penalty of perjury. Defendant WC-USA must:

- 14 1) Identify the primary physical, postal, and email address and
15 telephone number, as designated points of contact, which
16 representatives of the Commission may use to communicate
17 with it;
- 18 2) Identify all of its businesses by all of their names, telephone
19 numbers, and physical, postal, email, and Internet addresses;
- 20 3) Describe the activities of each business and the involvement of
21 any other Defendant;
- 22 4) Describe in detail whether and how it is in compliance with
23 each Section of this Order; and
- 24 5) Provide a copy of each Order Acknowledgment obtained
25 pursuant to this Order, unless previously submitted to the
26 Commission.

1 B. For ten years after entry of this Order, Defendant WC-USA must
2 submit a compliance notice, sworn under penalty of perjury, within fourteen days
3 of any change in the following:

- 4 1) Any designated point of contact; or
5 2) The structure of Defendant WC-USA or any entity that it has
6 any ownership interest in or controls directly or indirectly that
7 may affect compliance obligations arising under this Order,
8 including: creation, merger, sale, or dissolution of the entity or
9 any subsidiary, parent, or affiliate that engages in any acts or
10 practices subject to this Order.

11 C. Defendant WC-USA must submit to the Commission notice of the
12 filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by
13 or against it within fourteen days of its filing.

14 D. Any submission to the Commission required by this Order to be
15 sworn under penalty of perjury must be true and accurate and comply with 28
16 U.S.C. § 1746, such as by concluding: “I declare under penalty of perjury under
17 the laws of the United States of America that the foregoing is true and correct.
18 Executed on: _____” and supplying the date, signatory’s full name, title (if
19 applicable), and signature.

20 E. Unless otherwise directed by a Commission representative in writing,
21 all submissions to the Commission pursuant to this Order must be emailed to
22 DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:
23 Associate Director for Enforcement, Bureau of Consumer Protection, Federal
24 Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The
25 subject line must begin: *FTC v. World Connection USA, LLC, et al.*, Matter
26 Number X180032.

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V

Recordkeeping

It is further ordered that Defendant WC-USA must create certain records for ten years after entry of the Order, and retain each such record for five years. Specifically, Defendant WC-USA, in connection with telemarketing, must create and retain the following records:

A. Accounting records showing the revenues from all goods or services sold;

B. Personnel records showing, for each person providing services, whether as an employee or otherwise, that person's: name, addresses, telephone numbers, job title or position, dates of service, and (if applicable) the reason for termination;

C. Records of all consumer complaints, whether received directly or indirectly, such as through a third party, and any response; and

D. All records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission.

VI

Compliance Monitoring

It is further ordered that, for the purpose of monitoring Defendant WC-USA's compliance with this Order, including the financial representations upon which the judgment was suspended, and any failure to transfer any assets as required by this Order:

A. Within 14 days of receipt of a written request from a representative of the Commission, Defendant WC-USA must: (1) submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; (2) appear for depositions; and (3) produce documents for inspection and copying. The Commission is also authorized to obtain discovery, without further

1 leave of court, using any of the procedures prescribed by Federal Rules of Civil
2 Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

3 B. For matters concerning this Order, the Commission is authorized to
4 communicate directly with Defendant WC-USA. It must permit representatives of
5 the Commission to interview any employee or other person affiliated with it who
6 has agreed to such an interview. The person interviewed may have counsel present.

7 C. The Commission may use all other lawful means, including posing,
8 through its representatives as consumers, suppliers, or other individuals or entities
9 to Defendant WC-USA or any individual or entity affiliated with it, without the
10 necessity of identification or prior notice. Nothing in this Order limits the
11 Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of
12 the FTC Act, 15 U.S.C. §§ 49, 57b-1.

13 VII

14 Retention of Jurisdiction

15 **It is further ordered** that this Court retains jurisdiction of this matter for
16 purposes of construction, modification, and enforcement of this Order.

17
18 **It is so ordered.**

19
20
21 Dated:

22 David O. Carter
23 United States District Judge
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28

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**PART 310—TELEMARKETING SALES
RULE 16 CFR PART 310**

- Sec.
- 310.1 Scope of regulations in this part.
- 310.2 Definitions.
- 310.3 Deceptive telemarketing acts or practices.
- 310.4 Abusive telemarketing acts or practices.
- 310.5 Recordkeeping requirements.
- 310.6 Exemptions.
- 310.7 Actions by states and private persons.
- 310.8 Fee for access to the National Do Not Call Registry.
- 310.9 Severability.

AUTHORITY: 15 U.S.C. 6101–6108.

SOURCE: 75 FR 48516, Aug. 10, 2010, unless otherwise noted.

§ 310.1 Scope of regulations in this part.

This part implements the Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. 6101–6108, as amended.

§ 310.2 Definitions.

(a) *Acquirer* means a business organization, financial institution, or an agent of a business organization or financial institution that has authority from an organization that operates or licenses a credit card system to authorize merchants to accept, transmit, or process payment by credit card through the credit card system for money, goods or services, or anything else of value.

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(b) *Attorney General* means the chief legal officer of a state.

(c) *Billing information* means any data that enables any person to access a customer's or donor's account, such as a credit card, checking, savings, share or similar account, utility bill, mortgage loan account, or debit card.

(d) *Caller identification service* means a service that allows a telephone subscriber to have the telephone number, and, where available, name of the calling party transmitted contemporaneously with the telephone call, and displayed on a device in or connected to the subscriber's telephone.

(e) *Cardholder* means a person to whom a credit card is issued or who is authorized to use a credit card on behalf of or in addition to the person to whom the credit card is issued.

(f) *Cash-to-cash money transfer* means the electronic (as defined in section 106(2) of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7006(2))) transfer of the value of cash received from one person to another person in a different location that is sent by a money transfer provider and received in the form of cash. For purposes of this definition, *money transfer provider* means any person or financial institution that provides cash-to-cash money transfers for a person in the normal course of its business, whether or not the person holds an account with such person or financial institution. The term *cash-to-cash money transfer* includes a remittance transfer, as defined in section 919(g)(2) of the Electronic Fund Transfer Act ("EFTA"), 15 U.S.C. 1693a, that is a cash-to-cash transaction; however it does not include any transaction that is:

- (1) An electronic fund transfer as defined in section 903 of the EFTA;
- (2) Covered by Regulation E, 12 CFR 1005.20, pertaining to gift cards; or
- (3) Subject to the Truth in Lending Act, 15 U.S.C. 1601 *et seq.*

(g) *Cash reload mechanism* is a device, authorization code, personal identification number, or other security measure that makes it possible for a person to convert cash into an electronic (as defined in section 106(2) of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7006(2))) form

that can be used to add funds to a general-use prepaid card, as defined in Regulation E, 12 CFR 1005.2, or an account with a payment intermediary. For purposes of this definition, a cash reload mechanism is not itself a general-use prepaid debit card or a swipe reload process or similar method in which funds are added directly onto a person's own general-use prepaid card or account with a payment intermediary.

(h) *Charitable contribution* means any donation or gift of money or any other thing of value.

(i) *Commission* means the Federal Trade Commission.

(j) *Credit* means the right granted by a creditor to a debtor to defer payment of debt or to incur debt and defer its payment.

(k) *Credit card* means any card, plate, coupon book, or other credit device existing for the purpose of obtaining money, property, labor, or services on credit.

(l) *Credit card sales draft* means any record or evidence of a credit card transaction.

(m) *Credit card system* means any method or procedure used to process credit card transactions involving credit cards issued or licensed by the operator of that system.

(n) *Customer* means any person who is or may be required to pay for goods or services offered through telemarketing.

(o) *Debt relief service* means any program or service represented, directly or by implication, to renegotiate, settle, or in any way alter the terms of payment or other terms of the debt between a person and one or more unsecured creditors or debt collectors, including, but not limited to, a reduction in the balance, interest rate, or fees owed by a person to an unsecured creditor or debt collector.

(p) *Donor* means any person solicited to make a charitable contribution.

(q) *Established business relationship* means a relationship between a seller and a consumer based on:

- (1) the consumer's purchase, rental, or lease of the seller's goods or services or a financial transaction between the

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consumer and seller, within the eighteen (18) months immediately preceding the date of a telemarketing call; or

(2) the consumer's inquiry or application regarding a product or service offered by the seller, within the three (3) months immediately preceding the date of a telemarketing call.

(r) *Free-to-pay conversion* means, in an offer or agreement to sell or provide any goods or services, a provision under which a customer receives a product or service for free for an initial period and will incur an obligation to pay for the product or service if he or she does not take affirmative action to cancel before the end of that period.

(s) *Investment opportunity* means anything, tangible or intangible, that is offered, offered for sale, sold, or traded based wholly or in part on representations, either express or implied, about past, present, or future income, profit, or appreciation.

(t) *Material* means likely to affect a person's choice of, or conduct regarding, goods or services or a charitable contribution.

(u) *Merchant* means a person who is authorized under a written contract with an acquirer to honor or accept credit cards, or to transmit or process for payment credit card payments, for the purchase of goods or services or a charitable contribution.

(v) *Merchant agreement* means a written contract between a merchant and an acquirer to honor or accept credit cards, or to transmit or process for payment credit card payments, for the purchase of goods or services or a charitable contribution.

(w) *Negative option feature* means, in an offer or agreement to sell or provide any goods or services, a provision under which the customer's silence or failure to take an affirmative action to reject goods or services or to cancel the agreement is interpreted by the seller as acceptance of the offer.

(x) *Outbound telephone call* means a telephone call initiated by a telemarketer to induce the purchase of goods or services or to solicit a charitable contribution.

(y) *Person* means any individual, group, unincorporated association, limited or general partnership, corporation, or other business entity.

(z) *Preacquired account information* means any information that enables a seller or telemarketer to cause a charge to be placed against a customer's or donor's account without obtaining the account number directly from the customer or donor during the telemarketing transaction pursuant to which the account will be charged.

(aa) *Prize* means anything offered, or purportedly offered, and given, or purportedly given, to a person by chance. For purposes of this definition, chance exists if a person is guaranteed to receive an item and, at the time of the offer or purported offer, the telemarketer does not identify the specific item that the person will receive.

(bb) *Prize promotion* means:

(1) A sweepstakes or other game of chance; or

(2) An oral or written express or implied representation that a person has won, has been selected to receive, or may be eligible to receive a prize or purported prize.

(cc) *Remotely created payment order* means any payment instruction or order drawn on a person's account that is created by the payee or the payee's agent and deposited into or cleared through the check clearing system. The term includes, without limitation, a "remotely created check," as defined in Regulation CC, Availability of Funds and Collection of Checks, 12 CFR 229.2(ff), but does not include a payment order cleared through an Automated Clearinghouse (ACH) Network or subject to the Truth in Lending Act, 15 U.S.C. 1601 *et seq.*, and Regulation Z, 12 CFR part 1026.

(dd) *Seller* means any person who, in connection with a telemarketing transaction, provides, offers to provide, or arranges for others to provide goods or services to the customer in exchange for consideration.

(ee) *State* means any state of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, and any territory or possession of the United States.

(ff) *Telemarketer* means any person who, in connection with telemarketing, initiates or receives telephone calls to or from a customer or donor.

(gg) *Telemarketing* means a plan, program, or campaign which is conducted

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to induce the purchase of goods or services or a charitable contribution, by use of one or more telephones and which involves more than one interstate telephone call. The term does not include the solicitation of sales through the mailing of a catalog which: contains a written description or illustration of the goods or services offered for sale; includes the business address of the seller; includes multiple pages of written material or illustrations; and has been issued not less frequently than once a year, when the person making the solicitation does not solicit customers by telephone but only receives calls initiated by customers in response to the catalog and during those calls takes orders only without further solicitation. For purposes of the previous sentence, the term “further solicitation” does not include providing the customer with information about, or attempting to sell, any other item included in the same catalog which prompted the customer’s call or in a substantially similar catalog.

(hh) *Upselling* means soliciting the purchase of goods or services following an initial transaction during a single telephone call. The upsell is a separate telemarketing transaction, not a continuation of the initial transaction. An “external upsell” is a solicitation made by or on behalf of a seller different from the seller in the initial transaction, regardless of whether the initial transaction and the subsequent solicitation are made by the same telemarketer. An “internal upsell” is a solicitation made by or on behalf of the same seller as in the initial transaction, regardless of whether the initial transaction and subsequent solicitation are made by the same telemarketer.

[75 FR 48516, Aug. 10, 2010, as amended at 80 FR 77557, Dec. 14, 2015]

§310.3 Deceptive telemarketing acts or practices.

(a) *Prohibited deceptive telemarketing acts or practices.* It is a deceptive telemarketing act or practice and a violation of this Rule for any seller or telemarketer to engage in the following conduct:

(1) Before a customer consents to pay⁶⁵⁹ for goods or services offered, failing to disclose truthfully, in a clear and conspicuous manner, the following material information:

(i) The total costs to purchase, receive, or use, and the quantity of, any goods or services that are the subject of the sales offer;⁶⁶⁰

(ii) All material restrictions, limitations, or conditions to purchase, receive, or use the goods or services that are the subject of the sales offer;

(iii) If the seller has a policy of not making refunds, cancellations, exchanges, or repurchases, a statement informing the customer that this is the seller’s policy; or, if the seller or telemarketer makes a representation about a refund, cancellation, exchange, or repurchase policy, a statement of all material terms and conditions of such policy;

(iv) In any prize promotion, the odds of being able to receive the prize, and, if the odds are not calculable in advance, the factors used in calculating the odds; that no purchase or payment is required to win a prize or to participate in a prize promotion and that any purchase or payment will not increase the person’s chances of winning; and the no-purchase/no-payment method of participating in the prize promotion with either instructions on how to participate or an address or local or toll-free telephone number to which customers may write or call for information on how to participate;

⁶⁵⁹ When a seller or telemarketer uses, or directs a customer to use, a courier to transport payment, the seller or telemarketer must make the disclosures required by §310.3(a)(1) before sending a courier to pick up payment or authorization for payment, or directing a customer to have a courier pick up payment or authorization for payment. In the case of debt relief services, the seller or telemarketer must make the disclosures required by §310.3(a)(1) before the consumer enrolls in an offered program.

⁶⁶⁰ For offers of consumer credit products subject to the Truth in Lending Act, 15 U.S.C. 1601 *et seq.*, and Regulation Z, 12 CFR 226, compliance with the disclosure requirements under the Truth in Lending Act and Regulation Z shall constitute compliance with §310.3(a)(1)(i) of this Rule.

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(v) All material costs or conditions to receive or redeem a prize that is the subject of the prize promotion;

(vi) In the sale of any goods or services represented to protect, insure, or otherwise limit a customer's liability in the event of unauthorized use of the customer's credit card, the limits on a cardholder's liability for unauthorized use of a credit card pursuant to 15 U.S.C. 1643;

(vii) If the offer includes a negative option feature, all material terms and conditions of the negative option feature, including, but not limited to, the fact that the customer's account will be charged unless the customer takes an affirmative action to avoid the charge(s), the date(s) the charge(s) will be submitted for payment, and the specific steps the customer must take to avoid the charge(s); and

(viii) In the sale of any debt relief service:

(A) the amount of time necessary to achieve the represented results, and to the extent that the service may include a settlement offer to any of the customer's creditors or debt collectors, the time by which the debt relief service provider will make a bona fide settlement offer to each of them;

(B) to the extent that the service may include a settlement offer to any of the customer's creditors or debt collectors, the amount of money or the percentage of each outstanding debt that the customer must accumulate before the debt relief service provider will make a bona fide settlement offer to each of them;

(C) to the extent that any aspect of the debt relief service relies upon or results in the customer's failure to make timely payments to creditors or debt collectors, that the use of the debt relief service will likely adversely affect the customer's creditworthiness, may result in the customer being subject to collections or sued by creditors or debt collectors, and may increase the amount of money the customer owes due to the accrual of fees and interest; and

(D) to the extent that the debt relief service requests or requires the customer to place funds in an account at an insured financial institution, that the customer owns the funds held in

the account, the customer may withdraw from the debt relief service at any time without penalty, and, if the customer withdraws, the customer must receive all funds in the account, other than funds earned by the debt relief service in compliance with § 310.4(a)(5)(i)(A) through (C).

(2) Misrepresenting, directly or by implication, in the sale of goods or services any of the following material information:

(i) The total costs to purchase, receive, or use, and the quantity of, any goods or services that are the subject of a sales offer;

(ii) Any material restriction, limitation, or condition to purchase, receive, or use goods or services that are the subject of a sales offer;

(iii) Any material aspect of the performance, efficacy, nature, or central characteristics of goods or services that are the subject of a sales offer;

(iv) Any material aspect of the nature or terms of the seller's refund, cancellation, exchange, or repurchase policies;

(v) Any material aspect of a prize promotion including, but not limited to, the odds of being able to receive a prize, the nature or value of a prize, or that a purchase or payment is required to win a prize or to participate in a prize promotion;

(vi) Any material aspect of an investment opportunity including, but not limited to, risk, liquidity, earnings potential, or profitability;

(vii) A seller's or telemarketer's affiliation with, or endorsement or sponsorship by, any person or government entity;

(viii) That any customer needs offered goods or services to provide protections a customer already has pursuant to 15 U.S.C. 1643;

(ix) Any material aspect of a negative option feature including, but not limited to, the fact that the customer's account will be charged unless the customer takes an affirmative action to avoid the charge(s), the date(s) the charge(s) will be submitted for payment, and the specific steps the customer must take to avoid the charge(s); or

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(x) Any material aspect of any debt relief service, including, but not limited to, the amount of money or the percentage of the debt amount that a customer may save by using such service; the amount of time necessary to achieve the represented results; the amount of money or the percentage of each outstanding debt that the customer must accumulate before the provider of the debt relief service will initiate attempts with the customer's creditors or debt collectors or make a bona fide offer to negotiate, settle, or modify the terms of the customer's debt; the effect of the service on a customer's creditworthiness; the effect of the service on collection efforts of the customer's creditors or debt collectors; the percentage or number of customers who attain the represented results; and whether a debt relief service is offered or provided by a non-profit entity.

(3) Causing billing information to be submitted for payment, or collecting or attempting to collect payment for goods or services or a charitable contribution, directly or indirectly, without the customer's or donor's express verifiable authorization, except when the method of payment used is a credit card subject to protections of the Truth in Lending Act and Regulation Z,⁶⁶¹ or a debit card subject to the protections of the Electronic Fund Transfer Act and Regulation E.⁶⁶² Such authorization shall be deemed verifiable if any of the following means is employed:

(i) Express written authorization by the customer or donor, which includes the customer's or donor's signature;⁶⁶³

(ii) Express oral authorization which is audio-recorded and made available upon request to the customer or donor, and the customer's or donor's bank or other billing entity, and which evidences clearly both the customer's or

donor's authorization of payment for the goods or services or charitable contribution that are the subject of the telemarketing transaction and the customer's or donor's receipt of all of the following information:

(A) An accurate description, clearly and conspicuously stated, of the goods or services or charitable contribution for which payment authorization is sought;

(B) The number of debits, charges, or payments (if more than one);

(C) The date(s) the debit(s), charge(s), or payment(s) will be submitted for payment;

(D) The amount(s) of the debit(s), charge(s), or payment(s);

(E) The customer's or donor's name;

(F) The customer's or donor's billing information, identified with sufficient specificity such that the customer or donor understands what account will be used to collect payment for the goods or services or charitable contribution that are the subject of the telemarketing transaction;

(G) A telephone number for customer or donor inquiry that is answered during normal business hours; and

(H) The date of the customer's or donor's oral authorization; or

(iii) Written confirmation of the transaction, identified in a clear and conspicuous manner as such on the outside of the envelope, sent to the customer or donor via first class mail prior to the submission for payment of the customer's or donor's billing information, and that includes all of the information contained in §§310.3(a)(3)(ii)(A)-(G) and a clear and conspicuous statement of the procedures by which the customer or donor can obtain a refund from the seller or telemarketer or charitable organization in the event the confirmation is inaccurate; provided, however, that this means of authorization shall not be deemed verifiable in instances in which goods or services are offered in a transaction involving a free-to-pay conversion and preacquired account information.

(4) Making a false or misleading statement to induce any person to pay for goods or services or to induce a charitable contribution.

⁶⁶¹ Truth in Lending Act, 15 U.S.C. 1601 *et seq.*, and Regulation Z, 12 CFR part 226.

⁶⁶² Electronic Fund Transfer Act, 15 U.S.C. 1693 *et seq.*, and Regulation E, 12 CFR part 205.

⁶⁶³ For purposes of this Rule, the term "signature" shall include an electronic or digital form of signature, to the extent that such form of signature is recognized as a valid signature under applicable federal law or state contract law.

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(b) *Assisting and facilitating.* It is a deceptive telemarketing act or practice and a violation of this Rule for a person to provide substantial assistance or support to any seller or telemarketer when that person knows or consciously avoids knowing that the seller or telemarketer is engaged in any act or practice that violates §§ 310.3(a), (c) or (d), or § 310.4 of this Rule.

(c) *Credit card laundering.* Except as expressly permitted by the applicable credit card system, it is a deceptive telemarketing act or practice and a violation of this Rule for:

(1) A merchant to present to or deposit into, or cause another to present to or deposit into, the credit card system for payment, a credit card sales draft generated by a telemarketing transaction that is not the result of a telemarketing credit card transaction between the cardholder and the merchant;

(2) Any person to employ, solicit, or otherwise cause a merchant, or an employee, representative, or agent of the merchant, to present to or deposit into the credit card system for payment, a credit card sales draft generated by a telemarketing transaction that is not the result of a telemarketing credit card transaction between the cardholder and the merchant; or

(3) Any person to obtain access to the credit card system through the use of a business relationship or an affiliation with a merchant, when such access is not authorized by the merchant agreement or the applicable credit card system.

(d) *Prohibited deceptive acts or practices in the solicitation of charitable contributions.* It is a fraudulent charitable solicitation, a deceptive telemarketing act or practice, and a violation of this Rule for any telemarketer soliciting charitable contributions to misrepresent, directly or by implication, any of the following material information:

(1) The nature, purpose, or mission of any entity on behalf of which a charitable contribution is being requested;

(2) That any charitable contribution is tax deductible in whole or in part;

(3) The purpose for which any charitable contribution will be used;

(4) The percentage or amount of any charitable contribution that will go to

a charitable organization or to any particular charitable program;

(5) Any material aspect of a prize promotion including, but not limited to: the odds of being able to receive a prize; the nature or value of a prize; or that a charitable contribution is required to win a prize or to participate in a prize promotion; or

(6) A charitable organization's or telemarketer's affiliation with, or endorsement or sponsorship by, any person or government entity.

[75 FR 48516, Aug. 10, 2010, as amended at 80 FR 77558, Dec. 14, 2015]

§ 310.4 Abusive telemarketing acts or practices.

(a) *Abusive conduct generally.* It is an abusive telemarketing act or practice and a violation of this Rule for any seller or telemarketer to engage in the following conduct:

(1) Threats, intimidation, or the use of profane or obscene language;

(2) Requesting or receiving payment of any fee or consideration for goods or services represented to remove derogatory information from, or improve, a person's credit history, credit record, or credit rating until:

(i) The time frame in which the seller has represented all of the goods or services will be provided to that person has expired; and

(ii) The seller has provided the person with documentation in the form of a consumer report from a consumer reporting agency demonstrating that the promised results have been achieved, such report having been issued more than six months after the results were achieved. Nothing in this Rule should be construed to affect the requirement in the Fair Credit Reporting Act, 15 U.S.C. 1681, that a consumer report may only be obtained for a specified permissible purpose;

(3) Requesting or receiving payment of any fee or consideration from a person for goods or services represented to recover or otherwise assist in the return of money or any other item of value paid for by, or promised to, that person in a previous transaction, until seven (7) business days after such money or other item is delivered to that person. This provision shall not

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apply to goods or services provided to a person by a licensed attorney;

(4) Requesting or receiving payment of any fee or consideration in advance of obtaining a loan or other extension of credit when the seller or telemarketer has guaranteed or represented a high likelihood of success in obtaining or arranging a loan or other extension of credit for a person;

(5)(i) Requesting or receiving payment of any fee or consideration for any debt relief service until and unless:

(A) The seller or telemarketer has renegotiated, settled, reduced, or otherwise altered the terms of at least one debt pursuant to a settlement agreement, debt management plan, or other such valid contractual agreement executed by the customer;

(B) The customer has made at least one payment pursuant to that settlement agreement, debt management plan, or other valid contractual agreement between the customer and the creditor or debt collector; and

(C) To the extent that debts enrolled in a service are renegotiated, settled, reduced, or otherwise altered individually, the fee or consideration either:

(1) Bears the same proportional relationship to the total fee for renegotiating, settling, reducing, or altering the terms of the entire debt balance as the individual debt amount bears to the entire debt amount. The individual debt amount and the entire debt amount are those owed at the time the debt was enrolled in the service; or

(2) Is a percentage of the amount saved as a result of the renegotiation, settlement, reduction, or alteration. The percentage charged cannot change from one individual debt to another. The amount saved is the difference between the amount owed at the time the debt was enrolled in the service and the amount actually paid to satisfy the debt.

(ii) Nothing in § 310.4(a)(5)(i) prohibits requesting or requiring the customer to place funds in an account to be used for the debt relief provider's fees and for payments to creditors or debt collectors in connection with the renegotiation, settlement, reduction, or other alteration of the terms of payment or other terms of a debt, provided that:

(A) The funds are held in an account at an insured financial institution;

(B) The customer owns the funds held in the account and is paid accrued interest on the account, if any;

(C) The entity administering the account is not owned or controlled by, or in any way affiliated with, the debt relief service;

(D) The entity administering the account does not give or accept any money or other compensation in exchange for referrals of business involving the debt relief service; and

(E) The customer may withdraw from the debt relief service at any time without penalty, and must receive all funds in the account, other than funds earned by the debt relief service in compliance with § 310.4(a)(5)(i)(A) through (C), within seven (7) business days of the customer's request.

(6) Disclosing or receiving, for consideration, unencrypted consumer account numbers for use in telemarketing; provided, however, that this paragraph shall not apply to the disclosure or receipt of a customer's or donor's billing information to process a payment for goods or services or a charitable contribution pursuant to a transaction;

(7) Causing billing information to be submitted for payment, directly or indirectly, without the express informed consent of the customer or donor. In any telemarketing transaction, the seller or telemarketer must obtain the express informed consent of the customer or donor to be charged for the goods or services or charitable contribution and to be charged using the identified account. In any telemarketing transaction involving preacquired account information, the requirements in paragraphs (a)(7)(i) through (ii) of this section must be met to evidence express informed consent.

(i) In any telemarketing transaction involving preacquired account information and a free-to-pay conversion feature, the seller or telemarketer must:

(A) Obtain from the customer, at a minimum, the last four (4) digits of the account number to be charged;

(B) Obtain from the customer his or her express agreement to be charged for the goods or services and to be

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charged using the account number pursuant to paragraph (a)(7)(i)(A) of this section; and,

(C) Make and maintain an audio recording of the entire telemarketing transaction.

(ii) In any other telemarketing transaction involving preacquired account information not described in paragraph (a)(7)(i) of this section, the seller or telemarketer must:

(A) At a minimum, identify the account to be charged with sufficient specificity for the customer or donor to understand what account will be charged; and

(B) Obtain from the customer or donor his or her express agreement to be charged for the goods or services and to be charged using the account number identified pursuant to paragraph (a)(7)(ii)(A) of this section;

(8) Failing to transmit or cause to be transmitted the telephone number, and, when made available by the telemarketer's carrier, the name of the telemarketer, to any caller identification service in use by a recipient of a telemarketing call; provided that it shall not be a violation to substitute (for the name and phone number used in, or billed for, making the call) the name of the seller or charitable organization on behalf of which a telemarketing call is placed, and the seller's or charitable organization's customer or donor service telephone number, which is answered during regular business hours;

(9) Creating or causing to be created, directly or indirectly, a remotely created payment order as payment for goods or services offered or sold through telemarketing or as a charitable contribution solicited or sought through telemarketing; or

(10) Accepting from a customer or donor, directly or indirectly, a cash-to-cash money transfer or cash reload mechanism as payment for goods or services offered or sold through telemarketing or as a charitable contribution solicited or sought through telemarketing.

(b) *Pattern of calls.* (1) It is an abusive telemarketing act or practice and a violation of this Rule for a telemarketer to engage in, or for a seller

to cause a telemarketer to engage in, the following conduct:

(i) Causing any telephone to ring, or engaging any person in telephone conversation, repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number;

(ii) Denying or interfering in any way, directly or indirectly, with a person's right to be placed on any registry of names and/or telephone numbers of persons who do not wish to receive outbound telephone calls established to comply with paragraph (b)(1)(iii)(A) of this section, including, but not limited to, harassing any person who makes such a request; hanging up on that person; failing to honor the request; requiring the person to listen to a sales pitch before accepting the request; assessing a charge or fee for honoring the request; requiring a person to call a different number to submit the request; and requiring the person to identify the seller making the call or on whose behalf the call is made;

(iii) Initiating any outbound telephone call to a person when:

(A) That person previously has stated that he or she does not wish to receive an outbound telephone call made by or on behalf of the seller whose goods or services are being offered or made on behalf of the charitable organization for which a charitable contribution is being solicited; or

(B) That person's telephone number is on the "do-not-call" registry, maintained by the Commission, of persons who do not wish to receive outbound telephone calls to induce the purchase of goods or services unless the seller or telemarketer:

(1) Can demonstrate that the seller has obtained the express agreement, in writing, of such person to place calls to that person. Such written agreement shall clearly evidence such person's authorization that calls made by or on behalf of a specific party may be placed to that person, and shall include the telephone number to which the calls may be placed and the signature⁶⁶⁴ of that person; or

⁶⁶⁴ For purposes of this Rule, the term "signature" shall include an electronic or digital form of signature, to the extent that such form of signature is recognized as a

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(2) Can demonstrate that the seller has an established business relationship with such person, and that person has not stated that he or she does not wish to receive outbound telephone calls under paragraph (b)(1)(iii)(A) of this section; or

(iv) Abandoning any outbound telephone call. An outbound telephone call is “abandoned” under this section if a person answers it and the telemarketer does not connect the call to a sales representative within two (2) seconds of the person’s completed greeting.

(v) Initiating any outbound telephone call that delivers a prerecorded message, other than a prerecorded message permitted for compliance with the call abandonment safe harbor in §310.4(b)(4)(iii), unless:

(A) In any such call to induce the purchase of any good or service, the seller has obtained from the recipient of the call an express agreement, in writing, that:

(i) The seller obtained only after a clear and conspicuous disclosure that the purpose of the agreement is to authorize the seller to place prerecorded calls to such person;

(ii) The seller obtained without requiring, directly or indirectly, that the agreement be executed as a condition of purchasing any good or service;

(iii) Evidences the willingness of the recipient of the call to receive calls that deliver prerecorded messages by or on behalf of a specific seller; and

(iv) Includes such person’s telephone number and signature;⁶⁶⁵ and

(B) In any such call to induce the purchase of any good or service, or to induce a charitable contribution from a member of, or previous donor to, a non-profit charitable organization on whose behalf the call is made, the seller or telemarketer:

(i) Allows the telephone to ring for at least fifteen (15) seconds or four (4) rings before disconnecting an unanswered call; and

(ii) Within two (2) seconds after the completed greeting of the person called, plays a prerecorded message that promptly provides the disclosures required by §310.4(d) or (e), followed immediately by a disclosure of one or both of the following:

(A) In the case of a call that could be answered in person by a consumer, that the person called can use an automated interactive voice and/or keypress-activated opt-out mechanism to assert a Do Not Call request pursuant to §310.4(b)(1)(iii)(A) at any time during the message. The mechanism must:

(1) Automatically add the number called to the seller’s entity-specific Do Not Call list;

(2) Once invoked, immediately disconnect the call; and

(3) Be available for use at any time during the message; and

(B) In the case of a call that could be answered by an answering machine or voicemail service, that the person called can use a toll-free telephone number to assert a Do Not Call request pursuant to §310.4(b)(1)(iii)(A). The number provided must connect directly to an automated interactive voice or keypress-activated opt-out mechanism that:

(1) Automatically adds the number called to the seller’s entity-specific Do Not Call list;

(2) Immediately thereafter disconnects the call; and

(3) Is accessible at any time throughout the duration of the telemarketing campaign; and

(iii) Complies with all other requirements of this part and other applicable federal and state laws.

(C) Any call that complies with all applicable requirements of this paragraph (v) shall not be deemed to violate §310.4(b)(1)(iv) of this part.

(D) This paragraph (v) shall not apply to any outbound telephone call that delivers a prerecorded healthcare message made by, or on behalf of, a covered entity or its business associate, as those terms are defined in the HIPAA Privacy Rule, 45 CFR 160.103.

(2) It is an abusive telemarketing act or practice and a violation of this Rule for any person to sell, rent, lease, purchase, or use any list established to comply with §310.4(b)(1)(iii)(A), or

valid signature under applicable federal law or state contract law.

⁶⁶⁵ For purposes of this Rule, the term “signature” shall include an electronic or digital form of signature, to the extent that such form of signature is recognized as a valid signature under applicable federal law or state contract law.

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maintained by the Commission pursuant to §310.4(b)(1)(iii)(B), for any purpose except compliance with the provisions of this Rule or otherwise to prevent telephone calls to telephone numbers on such lists.

(3) A seller or telemarketer will not be liable for violating §310.4(b)(1)(ii) and (iii) if it can demonstrate that, as part of the seller's or telemarketer's routine business practice:

(i) It has established and implemented written procedures to comply with §310.4(b)(1)(ii) and (iii);

(ii) It has trained its personnel, and any entity assisting in its compliance, in the procedures established pursuant to §310.4(b)(3)(i);

(iii) The seller, or a telemarketer or another person acting on behalf of the seller or charitable organization, has maintained and recorded a list of telephone numbers the seller or charitable organization may not contact, in compliance with §310.4(b)(1)(iii)(A);

(iv) The seller or a telemarketer uses a process to prevent telemarketing to any telephone number on any list established pursuant to §310.4(b)(3)(iii) or 310.4(b)(1)(iii)(B), employing a version of the "do-not-call" registry obtained from the Commission no more than thirty-one (31) days prior to the date any call is made, and maintains records documenting this process;

(v) The seller or a telemarketer or another person acting on behalf of the seller or charitable organization, monitors and enforces compliance with the procedures established pursuant to §310.4(b)(3)(i); and

(vi) Any subsequent call otherwise violating paragraph (b)(1)(ii) or (iii) of this section is the result of error and not of failure to obtain any information necessary to comply with a request pursuant to paragraph (b)(1)(iii)(A) of this section not to receive further calls by or on behalf of a seller or charitable organization.

(4) A seller or telemarketer will not be liable for violating §310.4(b)(1)(iv) if:

(i) The seller or telemarketer employs technology that ensures abandonment of no more than three (3) percent of all calls answered by a person, measured over the duration of a single calling campaign, if less than 30 days, or separately over each successive 30-

day period or portion thereof that the campaign continues.

(ii) The seller or telemarketer, for each telemarketing call placed, allows the telephone to ring for at least fifteen (15) seconds or four (4) rings before disconnecting an unanswered call;

(iii) Whenever a sales representative is not available to speak with the person answering the call within two (2) seconds after the person's completed greeting, the seller or telemarketer promptly plays a recorded message that states the name and telephone number of the seller on whose behalf the call was placed⁶⁶⁶; and

(iv) The seller or telemarketer, in accordance with §310.5(b)-(d), retains records establishing compliance with §310.4(b)(4)(i)-(iii).

(c) *Calling time restrictions.* Without the prior consent of a person, it is an abusive telemarketing act or practice and a violation of this Rule for a telemarketer to engage in outbound telephone calls to a person's residence at any time other than between 8:00 a.m. and 9:00 p.m. local time at the called person's location.

(d) *Required oral disclosures in the sale of goods or services.* It is an abusive telemarketing act or practice and a violation of this Rule for a telemarketer in an outbound telephone call or internal or external upsell to induce the purchase of goods or services to fail to disclose truthfully, promptly, and in a clear and conspicuous manner to the person receiving the call, the following information:

(1) The identity of the seller;

(2) That the purpose of the call is to sell goods or services;

(3) The nature of the goods or services; and

(4) That no purchase or payment is necessary to be able to win a prize or participate in a prize promotion if a prize promotion is offered and that any purchase or payment will not increase the person's chances of winning. This disclosure must be made before or in conjunction with the description of the prize to the person called. If requested

⁶⁶⁶ This provision does not affect any seller's or telemarketer's obligation to comply with relevant state and federal laws, including but not limited to the TCPA, 47 U.S.C. 227, and 47 CFR part 64.1200.

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by that person, the telemarketer must disclose the no-purchase/no-payment entry method for the prize promotion; provided, however, that, in any internal upsell for the sale of goods or services, the seller or telemarketer must provide the disclosures listed in this section only to the extent that the information in the upsell differs from the disclosures provided in the initial telemarketing transaction.

(e) *Required oral disclosures in charitable solicitations.* It is an abusive telemarketing act or practice and a violation of this Rule for a telemarketer, in an outbound telephone call to induce a charitable contribution, to fail to disclose truthfully, promptly, and in a clear and conspicuous manner to the person receiving the call, the following information:

(1) The identity of the charitable organization on behalf of which the request is being made; and

(2) That the purpose of the call is to solicit a charitable contribution.

[75 FR 48516, Aug. 10, 2010, as amended at 76 FR 58716, Sept. 22, 2011; 80 FR 77559, Dec. 14, 2015]

§ 310.5 Recordkeeping requirements.

(a) Any seller or telemarketer shall keep, for a period of 24 months from the date the record is produced, the following records relating to its telemarketing activities:

(1) All substantially different advertising, brochures, telemarketing scripts, and promotional materials;

(2) The name and last known address of each prize recipient and the prize awarded for prizes that are represented, directly or by implication, to have a value of \$25.00 or more;

(3) The name and last known address of each customer, the goods or services purchased, the date such goods or services were shipped or provided, and the amount paid by the customer for the goods or services;⁶⁶⁷

(4) The name, any fictitious name used, the last known home address and

telephone number, and the job title(s) for all current and former employees directly involved in telephone sales or solicitations; provided, however, that if the seller or telemarketer permits fictitious names to be used by employees, each fictitious name must be traceable to only one specific employee; and

(5) All verifiable authorizations or records of express informed consent or express agreement required to be provided or received under this Rule.

(b) A seller or telemarketer may keep the records required by § 310.5(a) in any form, and in the same manner, format, or place as they keep such records in the ordinary course of business. Failure to keep all records required by § 310.5(a) shall be a violation of this Rule.

(c) The seller and the telemarketer calling on behalf of the seller may, by written agreement, allocate responsibility between themselves for the recordkeeping required by this Section. When a seller and telemarketer have entered into such an agreement, the terms of that agreement shall govern, and the seller or telemarketer, as the case may be, need not keep records that duplicate those of the other. If the agreement is unclear as to who must maintain any required record(s), or if no such agreement exists, the seller shall be responsible for complying with §§ 310.5(a)(1)-(3) and (5); the telemarketer shall be responsible for complying with § 310.5(a)(4).

(d) In the event of any dissolution or termination of the seller's or telemarketer's business, the principal of that seller or telemarketer shall maintain all records as required under this section. In the event of any sale, assignment, or other change in ownership of the seller's or telemarketer's business, the successor business shall maintain all records required under this section.

§ 310.6 Exemptions.

(a) Solicitations to induce charitable contributions via outbound telephone calls are not covered by § 310.4(b)(1)(iii)(B) of this Rule.

(b) The following acts or practices are exempt from this Rule:

⁶⁶⁷ For offers of consumer credit products subject to the Truth in Lending Act, 15 U.S.C. 1601 *et seq.*, and Regulation Z, 12 CFR 226, compliance with the recordkeeping requirements under the Truth in Lending Act, and Regulation Z, shall constitute compliance with § 310.5(a)(3) of this Rule.

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(1) The sale of pay-per-call services subject to the Commission's Rule entitled "Trade Regulation Rule Pursuant to the Telephone Disclosure and Dispute Resolution Act of 1992," 16 CFR part 308, *provided*, however, that this exemption does not apply to the requirements of §§310.4(a)(1), (a)(7), (b), and (c);

(2) The sale of franchises subject to the Commission's Rule entitled "Disclosure Requirements and Prohibitions Concerning Franchising," ("Franchise Rule") 16 CFR part 436, and the sale of business opportunities subject to the Commission's Rule entitled "Disclosure Requirements and Prohibitions Concerning Business Opportunities," ("Business Opportunity Rule") 16 CFR part 437, *provided*, however, that this exemption does not apply to the requirements of §§310.4(a)(1), (a)(7), (b), and (c);

(3) Telephone calls in which the sale of goods or services or charitable solicitation is not completed, and payment or authorization of payment is not required, until after a face-to-face sales or donation presentation by the seller or charitable organization, *provided*, however, that this exemption does not apply to the requirements of §§310.4(a)(1), (a)(7), (b), and (c);

(4) Telephone calls initiated by a customer or donor that are not the result of any solicitation by a seller, charitable organization, or telemarketer, *provided*, however, that this exemption does not apply to any instances of upselling included in such telephone calls;

(5) Telephone calls initiated by a customer or donor in response to an advertisement through any medium, other than direct mail solicitation, *provided*, however, that this exemption does not apply to:

(i) Calls initiated by a customer or donor in response to an advertisement relating to investment opportunities, debt relief services, business opportunities other than business arrangements covered by the Franchise Rule or Business Opportunity Rule, or advertisements involving offers for goods or services described in §310.3(a)(1)(vi) or §310.4(a)(2) through (4);

(ii) The requirements of §310.4(a)(9) or (10); or

(iii) Any instances of upselling included in such telephone calls;

(6) Telephone calls initiated by a customer or donor in response to a direct mail solicitation, including solicitations via the U.S. Postal Service, facsimile transmission, electronic mail, and other similar methods of delivery in which a solicitation is directed to specific address(es) or person(s), that clearly, conspicuously, and truthfully discloses all material information listed in §310.3(a)(1), for any goods or services offered in the direct mail solicitation, and that contains no material misrepresentation regarding any item contained in §310.3(d) for any requested charitable contribution; *provided*, however, that this exemption does not apply to:

(i) Calls initiated by a customer in response to a direct mail solicitation relating to prize promotions, investment opportunities, debt relief services, business opportunities other than business arrangements covered by the Franchise Rule or Business Opportunity Rule, or goods or services described in §310.3(a)(1)(vi) or §310.4(a)(2) through (4);

(ii) The requirements of §310.4(a)(9) or (10); or

(iii) Any instances of upselling included in such telephone calls; and

(7) Telephone calls between a telemarketer and any business to induce the purchase of goods or services or a charitable contribution by the business, except calls to induce the retail sale of nondurable office or cleaning supplies; *provided*, however, that §§310.4(b)(1)(iii)(B) and 310.5 shall not apply to sellers or telemarketers of nondurable office or cleaning supplies.

[75 FR 48516, Aug. 10, 2010, as amended at 80 FR 77559, Dec. 14, 2015]

§ 310.7 Actions by states and private persons.

(a) Any attorney general or other officer of a state authorized by the state to bring an action under the Telemarketing and Consumer Fraud and Abuse Prevention Act, and any private person who brings an action under that Act, shall serve written notice of its action on the Commission, if feasible, prior to its initiating an action under this Rule. The notice shall be sent to

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the Office of the Director, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580, and shall include a copy of the state's or private person's complaint and any other pleadings to be filed with the court. If prior notice is not feasible, the state or private person shall serve the Commission with the required notice immediately upon instituting its action.

(b) Nothing contained in this Section shall prohibit any attorney general or other authorized state official from proceeding in state court on the basis of an alleged violation of any civil or criminal statute of such state.

§310.8 Fee for access to the National Do Not Call Registry.

(a) It is a violation of this Rule for any seller to initiate, or cause any telemarketer to initiate, an outbound telephone call to any person whose telephone number is within a given area code unless such seller, either directly or through another person, first has paid the annual fee, required by §310.8(c), for access to telephone numbers within that area code that are included in the National Do Not Call Registry maintained by the Commission under §310.4(b)(1)(iii)(B); provided, however, that such payment is not necessary if the seller initiates, or causes a telemarketer to initiate, calls solely to persons pursuant to §§310.4(b)(1)(iii)(B)(i) or (ii), and the seller does not access the National Do Not Call Registry for any other purpose.

(b) It is a violation of this Rule for any telemarketer, on behalf of any seller, to initiate an outbound telephone call to any person whose telephone number is within a given area code unless that seller, either directly or through another person, first has paid the annual fee, required by §310.8(c), for access to the telephone numbers within that area code that are included in the National Do Not Call Registry; provided, however, that such payment is not necessary if the seller initiates, or causes a telemarketer to initiate, calls solely to persons pursuant to §§310.4(b)(1)(iii)(B)(i) or (ii), and the seller does not access the National Do

Not Call Registry for any other purpose.

(c) The annual fee, which must be paid by any person prior to obtaining access to the National Do Not Call Registry, is \$62 for each area code of data accessed, up to a maximum of \$17,021; *provided*, however, that there shall be no charge to any person for accessing the first five area codes of data, and *provided further*, that there shall be no charge to any person engaging in or causing others to engage in outbound telephone calls to consumers and who is accessing area codes of data in the National Do Not Call Registry if the person is permitted to access, but is not required to access, the National Do Not Call Registry under this Rule, 47 CFR 64.1200, or any other Federal regulation or law. No person may participate in any arrangement to share the cost of accessing the National Do Not Call Registry, including any arrangement with any telemarketer or service provider to divide the costs to access the registry among various clients of that telemarketer or service provider.

(d) Each person who pays, either directly or through another person, the annual fee set forth in paragraph (c) of this section, each person excepted under paragraph (c) from paying the annual fee, and each person excepted from paying an annual fee under §310.4(b)(1)(iii)(B), will be provided a unique account number that will allow that person to access the registry data for the selected area codes at any time for the twelve month period beginning on the first day of the month in which the person paid the fee ("the annual period"). To obtain access to additional area codes of data during the first six months of the annual period, each person required to pay the fee under paragraph (c) of this section must first pay \$62 for each additional area code of data not initially selected. To obtain access to additional area codes of data during the second six months of the annual period, each person required to pay the fee under paragraph (c) of this section must first pay \$31 for each additional area code of data not initially selected. The payment of the additional fee will permit the person to access the additional area codes of data for the remainder of the annual period.

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(e) Access to the National Do Not Call Registry is limited to telemarketers, sellers, others engaged in or causing others to engage in telephone calls to consumers, service providers acting on behalf of such persons, and any government agency that has law enforcement authority. Prior to accessing the National Do Not Call Registry, a person must provide the identifying information required by the operator of the registry to collect the fee, and must certify, under penalty of law, that the person is accessing the registry solely to comply with the provisions of this Rule or to otherwise prevent telephone calls to telephone numbers on the registry. If the person is accessing the registry on behalf of sellers, that person also must identify each of the sellers on whose behalf it is accessing the registry, must provide each seller's unique account number for access to the national registry, and must certify, under penalty of law, that the sellers will be using the information gathered from the registry solely to comply with the provisions of this Rule or otherwise to prevent telephone calls to telephone numbers on the registry.

[75 FR 48516, Aug. 10, 2010; 75 FR 51934, Aug. 24, 2010, as amended at 77 FR 51697, Aug. 27, 2012; 78 FR 53643, Aug. 30, 2013; 79 FR 51478, Aug. 29, 2014; 80 FR 77560, Dec. 14, 2016; 81 FR 59845, Aug. 31, 2016; 82 FR 39534, Aug. 21, 2017]

§310.9 Severability.

The provisions of this Rule are separate and severable from one another. If any provision is stayed or determined to be invalid, it is the Commission's intention that the remaining provisions shall continue in effect.