

From: David Frankel <dfrankel@zipdx.com>
Sent: Friday, September 1, 2023 12:10 PM
To: 'Krawiec, Margaret E' <Margaret.Krawiec@skadden.com>
Cc: 'Kelly, Todd D' <Todd.Kelly@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Hello Margaret –

Subsequent to our telephone conversation on 11-July, I paused my blog post efforts as we explored some alternatives. That's wrapped up, so I'm resuming my focus here.

I remain perplexed regarding DMS' strategy with respect to the calls that triggered my initial outreach to the company ten months ago (the beginning of this email thread). In our ongoing exchange, I've provided numerous call examples and highlighted various non-compliant aspects.

In mid-May, you told me "DMS is in the process of phasing out use of DMS Voice." My understanding is that DMS Voice is the platform you use to make these calls, but I've never gotten sufficient clarification to know that for certain. You've made additional references to it and I see in your 10-Q filings with the SEC that DMS shows a financial impact associated with its apparent shut-down. Still, my understanding of what's happening here, and how it relates to the calls I've been receiving, remains unclear.

While the volume of calls that I receive that appear to be from DMS is down substantially from when we started this dialogue, I do continue to see multiple calls every day that match the pattern of what I've seen from DMS in the past. Last week, I submitted one such example to the Industry Traceback Group, the FCC's designated consortium for traceback under the TRACED Act. Here are the details of that call:

Call Time: 2023-08-23 13:01:51 UTC

Calling #: +13527445855

Called #: +13526490346

Transcript: Hello, this is Jordan calling from Medicare Rewards on a recorded line and I am one of the Medicare help representatives here. How are you doing?

Audio: [LINK](#)

The traceback identified Perfect Pitch Technology LLC as the originating voice service provider for the call, and Perfect Pitch identified their customer as Crisp Marketing, which Perfect Pitch indicated is owned by parent company Digital Media Solutions. So it appears that DMS is continuing to make these calls; I know not whether they are made via your "DMS Voice" system or some other means. Regardless, they fit the pattern that I've seen heretofore from DMS.

If I am interpreting the traceback response correctly, Perfect Pitch also indicated that their "average daily traffic" from this customer (Crisp Marketing, parent company DMS) is more than 500,000. I haven't been able to verify that one way or the other, because my attempts to talk to Perfect Pitch have failed. I reached out to the contact they have listed in the FCC's Robocall Mitigation Database, Tanner Purser. Mr. Purser told me in a telephone call that he "has nothing to do with Perfect Pitch" and that "We sold Perfect Pitch over a year ago." Other phone and email inquiries to other contacts I found for Perfect Pitch yielded no response. I am further confused because there seem to be several affiliated (or at-one-time-affiliated) companies that might be involved: Perfect Pitch, Boomsourcing, and Boom. These all

appear to be involved in outbound calling of the type done by DMS. In fact, on the Boomsourcing home page (<https://boomsourcing.com/>) I see the DMS logo. But I don't have a picture of how these entities interact to effectuate the calls I receive.

I continue to be frustrated by my inability to understand definitively the mechanisms and justification for these ongoing calls, and my lack of effectiveness (and yours) in getting them to stop.

Have a nice holiday weekend. I'm turning my attention back to my elusive blog post.

David

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From: David Frankel <dfrankel@zipdx.com>
Sent: Sunday, July 9, 2023 11:16 PM
To: 'Krawiec, Margaret E' <Margaret.Krawiec@skadden.com>
Cc: 'Kelly, Todd D' <Todd.Kelly@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Thanks for your message, Margaret.

In anticipation of our Tuesday call, I have embedded some comments below **in red**. Hopefully you'll have a chance to review before we meet.

David

David Frankel
ZipDX® LLC
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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Friday, July 7, 2023 1:28 PM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Kelly, Todd D <Todd.Kelly@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

While we have tried to be transparent in our exchanges with you, as often explained, the information you frequently sought would have required DMS to disclose consumer information. As DMS previously advised you, it has privacy obligations, and, as you have no official position and are not bound by any confidentiality restrictions, there would be no way to protect that

information once it was handed over — indeed, had DMS provided such information, you may have publicly disclosed it just as you plan to do with our good-faith communications to date.

On April 5, I asked for some consent details and pointed out: “Note that I’m not asking for the ‘consenting’ individual’s name or address.” In my note on May 4, as I pursued a constructive collaboration to investigate problematic “consents” – which I believe are a core element of DMS’ non-compliant calling – I suggested that the data exchanged be limited to non-personal information. And I further offered to agree to a confidentiality arrangement if you felt that were warranted. You did not respond to this collaborative offer.

Accordingly, it has been very challenging to develop a relationship based on trust.

Your refusal to share relevant non-confidential information has likewise made me question whether I can trust you.

This is why we proposed putting pencils down on the blog to see if we might truly be able to work together before things escalate further. Based on the limited information of RRAPTOR available, we believed it might be a useful tool for DMS to boost its audit capabilities, primarily as it relates to third parties that DMS does business with. That is why we hoped that you could provide more detail on the program and how it actually identifies potentially non-compliant calls.

I do not intend for the operation of RRAPTOR to be a mystery. It is actually a fairly mundane system. In the draft blog post, I explained: “RRAPTOR is automated. A crude ‘artificial intelligence’ robot answers each call and ‘talks’ to the caller (which is often also an AI robot). RRAPTOR transcribes what it hears into text and uses pattern-matching techniques to categorize each call. It also saves the date, time, called and calling numbers, and cryptographic signature (if any) associated with the call.” My Google search for “RRAPTOR” gives me this as the top hit: <https://legalcallsonly.org/what-is-rraptor/>. That’s a bit lengthier of an explanation with some examples. The second hit takes me here: <https://legalcallsonly.org/> and from there you can find this post about the RRAPTOR webinar I did last fall. There’s a link there where you can view the 1-hour session (or fast-forward and just look at the slides): <https://register.gotowebinar.com/register/6312369248736500748>. There’s no cost and you’ll get instant access from the webinar host (SIP Forum) if you provide some basic info.

Indeed, if DMS were to become your customer, DMS would know you truly would have its best interests in mind as you would be working with DMS to address these issues.

As I explained in my 29-June email, “I’m somewhat unclear how the RRAPTOR Robocall Surveillance System could help DMS with compliance.” I pointed out that the data RRAPTOR has about your calls is already in your possession. I don’t want you to be my “customer” for a service that isn’t going to be useful to you – that makes for an unhappy customer.

DMS is very disappointed in your unwillingness to accept its suggested proposal or to appreciate why it cannot share consumer information without any confidentiality obligations.

My unwillingness to accept your proposal regarding RRAPTOR stemmed from the concern I just reiterated, and also from the condition you placed on it – that we pause the blog post. My 29-June email

explained that I AM willing to go forward with collaborative work, but that pausing the blog post could not be a condition. And, as I noted above, I DO appreciate your concerns about sharing consumer information, and that's why I've proposed avenues that DO NOT require such sharing, and have also put forward the notion of taking on a confidentiality obligation if there are still data items for which you deem it warranted.

That said, we will stick with the initially proposed schedule and our comments on your blog post are below.

In your email, you suggested that you would agree to post a statement from DMS along with your blog post. A statement from DMS is attached here which DMS believes provides some needed context for your blog post and also educates the reader on DMS's practices regarding compliance.

I appreciate you preparing this document and will include it with my post, subject to any modifications to which we might agree (to both my post and your response) during our Tuesday call.

We also wanted to take the opportunity to raise a few issues that we see with your blog post, including the way in which you intend to publish our communications when we have sought to participate in a good faith dialogue with you:

- First, DMS strenuously objects to the publication of communications with DMS or its representatives. DMS has at all times engaged in good faith and provided you responses to a number of questions even though it had no legal obligation to do so. DMS has also been as transparent as possible with sharing information with you. However, because you hold no official position, it is simply not feasible to share the level of personal information of consumers you are seeking. Above I explain that the data items I requested are not personal information. I acknowledged the confidentiality concern and limited my requests to non-confidential information and agreed to a confidentiality stipulation. Still, you never shared the requested (non-confidential) information nor pursued the confidentiality arrangement. So all of our communication has been non-confidential. DMS attempted to work collaboratively with you and believed that you had similar intentions. Your decision to use our communications and the information therein in a public blog post suggests otherwise to DMS. I'm not following this logic. How does a public blog post that contains no confidential information suggest that I was not trying to work collaboratively with you?
- Second, your blog post fails to provide proper context. To the best of DMS's knowledge, you are not affiliated with an state or federal regulator, nor are you acting under any legal authority. You are correct regarding my affiliation (or lack thereof). However, I do not need to be a regulator or have any specific legal authority to question the calls you are making to me. Further, your business involves selling software that allegedly helps to identify illegal robocalling. When DMS approached you and suggested potentially using your software as a further compliance measure, you advised DMS that you did not believe the software could help DMS identify troublesome calls. This again shows that DMS has attempted to work collaboratively with you regarding these issues. Note that your expression of interest in RRAPTOR was sent to me AFTER I composed and sent

you the draft post (although you said it had been something you were contemplating; I had no way of knowing this at the time I wrote the draft). We believe that these points should be added as needed context in your blog post. . I can certainly incorporate some “context” regarding DMS’ interest in RRAPTOR into the post; see my comments above.

- Third, you make a number of assertions that cannot be supported from the data that you have. In particular you make assertions about DMS making “millions” of calls and suggest that you can conclusively state that DMS is behind a large number of calls that you believe to be non-compliant. In fact, you have had the Industry Traceback Group perform tracebacks on a limited number of calls, In my 2-Nov-2022 email to DMS, I listed four calls that had been traced back via ITG to DMS through two different providers. ITG subsequently traced back seven calls I received on 30-31 May and 1-Jun to “Crisp Marketing, also known as DMS” in Clearwater, FL. You appear to acknowledge that, based on traceback results, I can “conclusively state” that those calls came from DMS. and DMS, as part of its good faith attempt to communicate with you, confirmed that it dialed a few, select calls. Outside of this very limited pool you have no way to conclusively state that DMS has conducted the calls you suggest it has. The bulk of the calls in the post were identified based on vague “calling patterns” that you suggest show that all of the calls are from DMS. These so-called “calling patterns,” which are not fully explained, could apply to any company that conducts consent based consumer calls. In my 30-Nov-2022 email to you, I provided date, time, called & calling numbers, and an audio link for six calls, and I noted I’d received 109 calls to my number 931.299.2188, 100 calls to my number 440.336.9852, and 76 calls to my number 208.739.9022. My 1-March email included full call details for 89 calls to my number +1-405-768-1930. My 31-March email gave full details for 91 calls to my number +1-719-455-9560. Regarding those 362 calls, you “actually confirmed” placing a “limited” set. What position do you take on the remainder? Despite your claim of a “good faith dialogue” you seem comfortable leaving the origin of these calls a mystery. DMS knows, conclusively, whether you placed the calls or not. If you did not place some or all of them, then it would be most helpful if you would state that. If you contend that researching the calls would be unduly burdensome, I would be interested to hear how much time you think it would take to do that research and whether that time is truly better spent debating the uncertainty regarding whether you did or did not place the calls. As you admit, in our email communications you wrongly identified calls from another company as coming from DMS. I assume you are referring to calls using the phrase “Vehicle Care Department” for which I gave an example in my 30-Nov 2022 email (of a call placed that day). On 12-Jan, you told me that “Vehicle Care Department” was not a DMS entity or trade name; I then asked (my 24-Jan email): “Has DMS made any calls in the past month of December where the caller announces they are ‘in the Vehicle Care Department’?” and provided another sample audio. In your 23-Feb email, you told me that Zealous Services LLC placed the 30-Nov call, reiterated that it is not a DMS entity, and that DMS understands the Vehicle Care Department name was used in error. Was DMS in no way involved in that (and other Vehicle Care Department) calls? Is there no relationship between DMS and Zealous (one being a customer of the other, or some other form of partnership or collaboration)? The fact that you could identify the source of the call, and know that the name was used in error, and that the issue has since been rectified gave me the (perhaps mistaken) impression that DMS had some involvement in the call despite the name not being directly associated with DMS.

I observe that in a set of tracebacks disclosed in a Petition to Enforce filed in Marion (IN) Superior Court (Case 49D02-2211-MI-037726, Exhibit 9), there are six call examples that are apparently relevant here: TB10589, TB10590, TB10591, TB10592, TB10593 and TB10595. These are for calls placed 19-21 Sep 2022. All make reference to “vehicle care department” as indicated in the audio recordings: [AUDIO-589](#), [AUDIO-590](#), [AUDIO-591](#), [AUDIO-592](#), [AUDIO-593](#), and [AUDIO-595](#). The traceback data indicates that all six calls came from Digital Media Solutions LLC. Each traceback response also says: “Average Daily Traffic: More than 500,000.”

Those audio recordings are starkly similar to hundreds of calls I received and captured in RRAPTOR, including these sample October calls:

2022-10-06 21:17:54 FROM: +15735620401 TO: +15737389548 [AUDIO](#)

2022-10-05 19:26:31 FROM: 17742152954 TO: +17744624010 [AUDIO](#)

2022-10-05 17:39:03 FROM: +12012929763 TO: +12013542890 [AUDIO](#)

I’ll also note that the unredacted information in the Indiana public filing includes, for each of those tracebacks, these data items for each claimed consent: Date, Time, Website, ZIP Code, IP Address. This is what I requested from you in my 4-May email; you protested that I was asking for personal (confidential) information.

Or perhaps you were not referring to the “Vehicle Care Department” as the “wrongly identified calls” and are referring to some other call(s) that I apparently misidentified. We can discuss on Tuesday.

There is no reason to believe that you have not misidentified other calls as well, particularly when you fail to adequately explain what “calling patterns” you identified that relate specifically to DMS. **There is no reason to believe that I DID misidentify any significant number of calls. I reiterate – Why doesn’t DMS, as the holder of the definitive data, explicitly confirm or deny placing the 362 calls for which I gave sufficient data for you to do so?** Again, we respectfully suggest that you remove these unsubstantiated assertions, or, at the very least, provide the appropriate caveats that you cannot actually conclusively state that DMS conducted these calls outside of a few limited instances, many of which DMS confirmed itself in an attempt to engage with you. **Here again I’m a bit confused – you refer to ”a few limited instances” and then say “MANY of which DMS confirmed.” Is it few or is it many?**

There are already “caveats” in the draft post and I can explore adding more.

- Fourth, you make inaccurate statements about DMS’s business. You suggest that DMS sells advice regarding Medicare or warranties. DMS does not sell anything directly to consumers. DMS engages with consumers who may be interested in a particular good or service and connects that consumer with an advertiser, when appropriate. Your post’s statements about DMS selling products or services shows a lack of basic understanding of DMS as well as others in the industry. **In the attachment, you write: “DMS does not sell, or even **advertise**, products or services.”** This is curious, because in the prose that follows, I find these excerpts:
 - “DMS’s leaders have overseen DMS’s evolution over the last decade into an award-winning, digital performance **advertising** company....”

- “DMS **advertises** directly for its client under the client’s brand name by contracting with publishers to provide leads to fulfill advertising campaigns.”
- “Another approach involves DMS **advertising** its client’s business under DMS’s brand name.” I acknowledge that my understanding of the domain in which DMS operates pales in comparison to the combined wisdom of the company and yourself. Rather than “sells,” would it be better for me to say that DMS “orchestrates telemarketing campaigns” for Medicare advice as well as home or auto warranties? Is there some other phraseology you would like me to use?
- Fifth, your suggestion that DMS has been successfully sued for illegal marketing calls is misleading. To our knowledge, no court has ever found DMS liable for dialing an illegal call. Your blog post should either remove the language regarding DMS being sued by others or provide this additional background information. I suggested no such thing. What I wrote in my draft post is: “Web searches will reveal others that have tracked down the company and even filed lawsuits against them, alleging illegal calling.” I made no comments or inferences about the suits being “successful” and I specifically said “ALLEGING illegal calling.” You accuse me of “loose treatment of facts” when this very exchange shows that DMS is the one that is careless with phraseology.

We look forward to discussing these issues with you on July 11. While DMS obviously hopes that you change your mind about publishing your blog post and revisit our offer to work collaboratively with you to integrate your product, it hopes you at least take these issues seriously and make the necessary changes to your blog post before publication. DMS also hopes that, in the event you do publish, you keep your promise to publish a statement from DMS, which is attached.

Of course I will post your statement; that is why I solicited it.

I have been pondering all weekend what would deter me from publishing my blog post. You tell me above: “you make assertions about DMS making ‘millions’ of calls and suggest that you can conclusively state that DMS is behind a large number of calls that you believe to be non-compliant.” Indeed, so far I have been forced to extrapolate and estimate to come up with any aggregate numbers beyond what I actually observe. I write: “To the best of my knowledge, they make more than a million calls every weekday.” Further, although you write in your response, “Without consent, no lead is created and DMS will not call the person” I have repeatedly challenged the validity of many of those consents and believe that your consent process is broken.

DMS KNOWS how many calls it makes, so if we use your numbers we do not need to rely on my estimates. And to the extent that the called party has actually consented to the calls – that is, expressly indicated a desire to receive those calls – that would, I believe, be reflected in DMS’ own data regarding the fraction of calls on which the called party engages, as represented by the call duration – or by callbacks responding to your voice-mail messages.

So the simplest proposal I have is this: IF you can show me, with data I’m almost certain you have, that, with respect to the programs you describe in your response, on behalf of DMS and DMS’ clients:

- DMS initiated or caused to be initiated fewer than 25,000,000 answered outbound calls in the month of October, 2022 (fewer than one million calls per weekday, on average) – just prior to my 2-Nov-2022 email to DMS, AND
- Of all the unique numbers DMS called in that month, with more than one out of four (25%+) DMS (or their client) ultimately had an expression of interest from that called party as

evidenced by at least one call lasting three minutes or more (either as part of an outbound call, or a return inbound call presumably responding to a voice-mail DMS left)

THEN I'll refrain from publishing my proposed blog. Instead, I'll publish a declaration that you've convinced me that my concerns about your calling are exaggerated. My proposed metrics are intended to be quite generous to DMS; I'm happy to discuss alternatives.

Best regards,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Thursday, June 29, 2023 3:32 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Kelly, Todd D (WAS) <Todd.Kelly@skadden.com>
Subject: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Hi Margaret –

I'm somewhat unclear how the RRPATOR Robocall Surveillance System could help DMS with compliance. Much of the utility of RRPATOR is that it gives visibility to the content and metadata associated with robocalling campaigns. For each call it captures, it knows the date and time and the content of the call, and it knows the voice service provider that authenticated the call (if any).

But DMS already knows this for each call DMS places. You know the date and time and presumably you record each call. And you know what service provider you paid to originate each call. So RRPATOR isn't going to give you any information you don't already have.

On May 4, I had proposed to you sharing a list of (some of) the called numbers on which I'd received DMS-initiated calls. I suggested that you would share back certain details of the consents that you had obtained to call those numbers, and we would jointly work to understand better what is "broken" in the consent process that is unleashing so many calls to numbers for which there is no valid consent. I never heard back regarding that proposal.

I am still willing to work with DMS to understand better the consent process and how it can be improved, not just for DMS but others that are similarly-situated. That may or may not be (part of) what you are contemplating in terms of integrating the platform into your compliance efforts.

However, as I mentioned, my patience is exhausted. I have a key objective of sharing information with other stakeholders so they can be part of the conversation and everybody can be working off the same page in reigning in non-compliant calling. The pending blog post is the catalyst for that conversation which needs to get underway ASAP. I am not willing to pause the post as you have suggested.

Let's please keep the plan for DMS' blog response on July 7 and the follow-up call on July 11.

In parallel, if you'd like to discuss additional constructive and collaborative work, I'm happy to do that. To the extent you feel that such efforts would be "clouded" by the blog discussions, then we can defer talk of compliance integration to the second half of July.

David

David Frankel
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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Wednesday, June 28, 2023 4:31 PM
To: David Frankel <dfrankel@zipdx.com>
Cc: Kelly, Todd D <Todd.Kelly@skadden.com>
Subject: Re: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel -

DMS has been considering discussing with you the potential use of your product for some time now as an additional compliance tool. DMS has always attempted to work with you constructively and this is yet another example. The timing of your recent reach out was coincidental in this regard. If you are amenable, we would like to use the time set aside on July 11th to discuss your product provided you will pause our discussions with respect to your potential blog post. We do not want to be in an adversarial posture and do not want our discussions to potentially integrate your product to be clouded by our efforts to respond to the various points in your draft post. We simply think this is the most constructive way to proceed. Such efforts are also aligned with DMS' full shut down of DMS Voice. Please let us know if you are amenable to this approach. If yes, I will coordinate to have DMS representatives on the July 11th call. It would also be helpful if you could provide materials to DMS on how your product is implemented so that the technical team can review them.

Best,

Margaret

On Jun 26, 2023, at 2:15 PM, Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com> wrote:

Mr. Frankel -

Let's please plan on 1:30 pm ET on July 11th. We will send a calendar invite with a dial-in.

Best,

Margaret

On Jun 26, 2023, at 9:44 AM, David Frankel <dfrankel@zipdx.com> wrote:

Thanks for the speedy response, Margaret, despite your travel.

I am amenable to waiting until 7-July for a response, followed by a call.

However, after 8 months of back-and-forth, my patience is exhausted.

Please schedule the call now so that we ensure it happens in a timely fashion. I am available any time on Monday or Tuesday, July 10-11.

Let's commit to resolving everything by the end of that week, 14-July. I'll plan to publish the blog on Monday, 17-July. That's three weeks from today.

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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>

Sent: Monday, June 26, 2023 10:22 AM

To: David Frankel <dfrankel@zipdx.com>

Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>

Subject: Re: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel -

I am currently out of the office, returning July 5th. Given our good faith dialogue, DMS requests that you please hold off on publishing this blog post and give DMS an opportunity to meaningfully respond. To that end, DMS requests that you allow it to respond by July 7th. Once DMS provides a response, we would like to schedule a call so that we can discuss these issues, again, before you publish anything. We would think you would be committed to ensuring that your post is as truthful and professional as you note in your email. Please let me know if you will agree to this approach.

Best,

Margaret

On Jun 26, 2023, at 8:18 AM, David Frankel <dfrankel@zipdx.com> wrote:

Hello Margaret –

I sit here frustrated, awaiting your promised phase-out of DMS Voice and wondering if that will really eliminate DMS' non-compliant calling.

There are at least hundreds, and probably a thousand or more, people working on behalf of all Americans to reduce the number of robocalls we endure. I feel it is important for me to share what I've learned about DMS, the dialog we've had, and the progress I have or have not made.

To that end, I've drafted a blog post, attached. I believe it to be truthful and professional. Before I post it, I'd like to give you the opportunity to comment. I'm happy to include a statement from DMS as part of the post. The attached document is in Word format with Track Changes enabled to make it convenient for you to embed comments if you'd like to do that.

I'd like to get your comments by the end of the week. If you need more time, please let me know promptly the date you're willing to commit to.

Regards,

David

David Frankel
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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>

Sent: Friday, June 16, 2023 2:30 PM

To: 'David Frankel' <dfrankel@zipdx.com>

Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>

Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel –

Thank you for your email. As noted in our May 15th email, DMS is in the process of phasing out use of DMS Voice. Separate and apart from other voluntary compliance measures DMS is taking to ensure that it is consistently utilizing best practices, DMS is hopeful that once DMS Voice is fully phased out, you will see the expected drop in calls. We anticipate DMS Voice to be fully phased out by the end of July. Please be assured that phasing out the use of DMS Voice involves various steps which DMS is diligently working through to ensure an orderly wind down.

As you know, DMS has attempted to engage with you in good faith at all times within the parameters of privacy obligations. We have also relied on a mutual level of trust and professionalism which we look forward to continue as we work through these issues.

Best,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Wednesday, June 7, 2023 2:57 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Greetings, Margaret –

I haven't seen any change in the volume of lead-generation calls that match the pattern of what we've identified as coming from DMS Group. Below is a chart that shows calls by week since March of this year. It looks like the volume of calls is ramping up this week (we're only three days into it and the volume exceeds what we saw in each of the earlier weeks).

<image001.png>

I'm using the history of these calls as part of a case study and had hoped to report that they had finally stopped. But that does not appear to be the case.

I inferred from your recent emails that the calls would wind down. Do you have any update?

David

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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Wednesday, May 17, 2023 11:57 AM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

DMS Voice is an interactive voice recognition technology, which DMS licensed from a third party. DMS is in the process of phasing out use of DMS Voice and hopes to complete the phase-out as expeditiously as possible.

Best,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Tuesday, May 16, 2023 6:22 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Thanks for letting me know, Margaret.

I am assuming that "DMS Voice" is the part of the company that is responsible for the calling campaigns we've been discussing. It wasn't apparent from the 10-Q if the termination was complete or if it was forthcoming.

As of today, I'm still seeing the same pattern of calls that I've observed for some time.

Can you offer any additional clarification?

David Frankel
ZipDX® LLC
St. George, UT USA
Tel: 1-800-FRANKEL (1-800-372-6535)
[Visit My Robocall Blog](#)

From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Tuesday, May 16, 2023 3:55 PM
To: David Frankel <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: Re: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Dear Mr. Frankel –

Please be advised that, as publicly announced in DMS's 10-Q filed on May 15, 2023, DMS has announced it will be terminating operation of DMS Voice. As previously emphasized, DMS takes its regulatory and compliance obligations very seriously and endeavors to fully comply with all laws and regulations. We hope this step further evidences these commitments.

Best regards,

Margaret

On May 10, 2023, at 10:23 AM, David Frankel <dfrankel@zipdx.com> wrote:

Good morning, Margaret –

I understand regarding meeting next week.

You did not respond to my specific proposal regarding exchanging information so that we might all understand what is at play here.

Perhaps the forthcoming data you referenced will shed more light on things. I look forward to receiving that as soon as possible.

The calls I flag as DMS-originated are running at about 500 a week these days; so far this week I'm at 200. That's down from a couple thousand last fall. But if I get 500 a week, that suggests several million across all Americans, and I can't reconcile how there could be proper consent for all those calls.

You are probably aware that the FCC has an open FNPRM regarding consent. The initial Comment deadline was the day before yesterday, and they received hundreds of pages of feedback (including some from me). I have a meeting with Bureau staff on this topic this coming Monday when I am in DC.

David

David Frankel
ZipDX® LLC
St. George, UT USA
Tel: 1-800-FRANKEL (1-800-372-6535)
[Visit My Robocall Blog](#)

From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Wednesday, May 10, 2023 8:03 AM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

Thank you for your email. Unfortunately, due to long-standing client commitments, we are not available to meet while you will be in D.C. However, DMS does have relevant information to share that we believe will be of interest to you. While we cannot provide this information at this moment, we will plan to follow up with you early on in the week of May 15 with such information.

Best,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Thursday, May 4, 2023 6:21 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

I appreciate your response two weeks ago, Margaret, and have been contemplating how we might move forward constructively.

You point out that I “have issues with the industry in which DMS operates.” One of the biggest issues I have is the problematic nature of the “consents” on which the industry (and DMS) relies, and perhaps that is where we can work together.

In the course of our conversation, I have provided numerous examples where DMS placed calls to my numbers. I know I provided no consent for those calls, and yet DMS THOUGHT they had (valid) consent to call those numbers. Something here appears broken. I’d like to work towards a solution; the first part of that is understanding how the system broke for these cases.

In the past 90 days, I’ve gotten over 7,700 calls which I believe came from DMS. Those calls were to just over 1,000 different called numbers assigned to me.

I’d like to propose that I provide you with a list of those called numbers, and that DMS provide back some details of those consents which we can then jointly review. I realize that you are concerned about revealing confidential information that might belong to third parties, but at this point, I do not think that any potentially confidential information is pertinent to our joint objectives. I think the most helpful data for our work would be:

1. Date and time
2. Website URL
3. IP address
4. ZIP Code (5-digits)

With respect to “personal” information like name, physical address, and email address, that would only be interesting if (A) there were any matches to MY personal data; OR (B) if a particular data item appeared repeatedly in association with several different telephone numbers. Otherwise, I don’t think these data items are relevant, at least initially, so I’ve omitted them.

Some IP addresses might, with significant effort, be traceable to particular individuals. To the extent that is a concern for you, I can sign a confidentiality agreement with respect to those addresses, agreeing not to use them to seek individual identification and not to disclose the specific addresses to third parties (without your consent which you can withhold at your exclusive discretion).

My hope is that DMS has this information in a database, and that if I provided my data in a format suitable to you, it would be a fairly straightforward matter to gather via automation the corresponding data items I’ve indicated.

I am going to be in Washington DC the week after next. Would you be available on Tuesday, the 16th, to meet in person? I depart from DCA around 5 PM but could meet earlier in the day.

I look forward to your thoughts on this.

David

David Frankel

ZipDX® LLC

St. George, UT USA

Tel: 1-800-FRANKEL (1-800-372-6535)

[Visit My Robocall Blog](#)

From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>

Sent: Thursday, April 20, 2023 1:03 PM

To: 'David Frankel' <dfrankel@zipdx.com>

Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>

Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

Thank you for your email and for bringing these issues to our attention.

In our March 10, 2023, email, we informed you that consent was provided for 405-768-1930 on December 17, 2022. The consent for 719-455-9560 was provided on November 26, 2022. Similar to the consent for 405-768-1930, there were multiple consents for 719-455-9560 and at least some of the information provided would be considered personal identifying information. DMS requires all third parties that it works with to use either Jornaya or TrustedForm and DMS does have Jornaya and/or TrustedForm certification for both numbers. As mentioned in our previous emails, we are hesitant to provide additional, specific information regarding consents out of concern for inadvertently disclosing personal identifying information. Both of these numbers have been added to DMS's internal DNC list and should not receive any additional calls from DMS.

We shared the registration certificate of National Disability with you as a token of good faith. DMS did not notice anything facially deficient with the consent that National Disability provided. Further, we would note that under the laws of Massachusetts, fictitious names are registered in individual cities or towns where the business is located. Some of these cities or towns have a public database of the fictitious names, for example [Boston](#) or [Worcester](#). The City of Waltham, which is where CD Media is based, does not happen to have a public database.

Finally, Mr. Frankel, while DMS has been happy to work with you in good faith to answer questions about calls you have received on numbers you own and has considered the broader points about the industry you have raised, DMS does not plan to provide answers to your questions regarding its overall business strategy. We are aware that you have issues with the industry in which DMS operates. However, DMS strives to comply with all applicable laws and regulations, and believes that its practices with respect to consumer consents meet or exceed those of its peers. DMS takes the issues you have raised seriously and is happy to continue this dialog in what we hope will be a mutually respectful manner.

Best,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Wednesday, April 5, 2023 11:14 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Margaret,

Thanks for the registration for National Disability. Registering at the city level, rather than the state, makes it even less likely that the entity will be found via publicly-available search tools. I wonder if municipality-level registration was intended when the regulator wrote “the name under which the entity is registered to conduct business with the **State Corporation Commission (or comparable regulatory authority)** must be stated.”

In my March 10 note, I wrote:

Regarding consent for calls to 405-768-1930, can you please share with me the details of this consent? You have said “a consumer provided consent” – but that was not me. It behooves us to work together to understand how this consent came to be. The telephone number has belonged to me for many months. Did DMS get this consent from a lead generator? Was the consent obtained at a web site? If so, what lead generator and what web site? Is there a Jornaya or Active Prospect validation of this lead? Is there an IP address? Did the “consumer” provide any other data? Errant leads like this one are not a one-off occurrence; in fact, in my considerable experience, this happens quite frequently. Unraveling the mystery of how it came to pass can help both of us learn how to prevent similar events.

While I appreciate the research you did on the consent, I don’t believe you addressed any of my specific questions above. I am interested to know, for the consent you referenced below for calls to 405-768-1930, as well as the consent you are researching for calls to 719-455-9560:

- 1) The date on which you obtained the consent
- 2) The web site URL at which the consent was granted
- 3) The IP address of the visitor providing the consent
- 4) Whether you have a third-party validation of the consent, such as TrustedForm or Jornaya, and the details thereof
- 5) If the lead came via a lead generator, whom?

These data items will likely prove useful as we work to understand and rectify the shortcomings of your consent process. Note that I’m not asking for the “consenting” individual’s name or address; we already know they are wrong (because they are not me).

You indicate that “DMS’s compliance team is working diligently to ensure that it stays abreast of these developments while also managing other competing demands.” I appreciate that we are all busy. However, to my knowledge, the compliance rules are explicit as to what is and is not allowed, and there is not an exemption for being too busy to comply with the law.

On 31-March, I wrote “Beyond compliance, this pattern of calling just seems non-sensical to me. Why would you relentlessly call a number that is clearly not yielding your desired outcome?” This was not asked rhetorically. In my call logs, I see more than 200 different numbers that have, apparently, each gotten a dozen or more calls from DMS since the beginning of the year. My expert perspective is that this calling behavior only serves to amplify Americans’ frustrations with robocalls. Why would you want to contribute to that in this way?

David

David Frankel
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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Monday, April 3, 2023 12:10 PM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

Thank you again for bringing these issues to our attention. We apologize for not getting back to you sooner, we certainly take the issues you raise seriously and value the opportunity to have this dialogue about DMS and the wider industry with you. As you know, there have been a number of recent developments in the industry and DMS’s compliance team is working diligently to ensure that it stays abreast of these developments while also managing other competing demands.

Regarding your most recent email, DMS will look into 719-455-9560 and report back. In the meantime, we will add this number to our global DNC list so that you will no longer receive any additional unwanted calls.

On the consent for 405-768-1930, raised in your email, our review suggests that this was a case on consumer-falsified consent. An individual using the same name and information provided consent for this number on two different websites on the same day. Based on a review of the property records available, it appears that a fake name was given. However, we cannot be sure that all of the information was fraudulent. The address, like the phone number, appears to be a real address. Therefore, out of an abundance of caution, we cannot provide specific information to prevent inadvertent disclosure of personal identifying information. We share your and the industry’s concern with falsified consents and DMS is constantly adapting its compliance procedures to try and ensure that each call initiated is delivered to an individual who provided consent for that call.

The registration information for National Disability is attached. National Disability is a d/b/a of CD Media, LLC, which is a wholly owned subsidiary of Citizens Disability, LLC. The National Disability d/b/a is registered in the City of Waltham, Massachusetts, under Business Certificate #16-374.

On the final point in your previous email, DMS takes its compliance obligations seriously and, like you, wants to make sure that callers do not receive unwanted calls. We appreciate that you view DMS' offer to place your numbers on its DNC list as a "band-aid." However, we still believe that it would be the most efficient way to prevent any unwanted calls from DMS while we continue our dialogue about issues in the industry. The offer remains open and if you would like to provide DMS your numbers, it will ensure that you do not receive any further unwanted calls.

Best,

Margaret

From: David Frankel <dfrankel@zipdx.com>

Sent: Friday, March 31, 2023 1:00 AM

To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>

Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>

Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Hi Margaret –

I think it's been about three weeks since my last email and I don't believe I've heard anything back from you.

I continue to see a large number of non-compliant calls coming from DMS.

Below, for example, is a list of calls that I've received on +1-719-455-9560. There are 91 calls in less than 90 days, coming from 91 distinct caller-ID's.

During at least three of the calls (shown in bold; one was over two months ago) I announced that I had not consented to the calls – yet they continue. There's one from earlier today.

Beyond compliance, this pattern of calling just seems non-sensical to me. Why would you relentlessly call a number that is clearly not yielding your desired outcome?

In your previous note, you said: "DMS takes its compliance obligations seriously and wants to work in good faith to rectify any issues related to unwanted calls as quickly as possible."

I suggested digging deeper into the details of the "consent" you have, having made clear that it is not VALID consent because it did not come from ME, the number assignee. And yet you've offered no additional data, belying your contention that you will "work in good faith" "as quickly as possible."

Do you have any suggestions as to how we can move the ball forward here? My approach doesn't seem to be working.

My number pool is relatively small compared to the hundreds of millions of numbers currently in service with American consumers. If we extrapolate from what I am seeing, one might conclude that DMS is making at least millions of calls weekly that the recipients do not want. Do you have an alternate perspective? Perhaps you can share the fraction of DMS's calls that result in uptake of a service or

product that DMS is pitching. In my example here, you are batting 0 out of 91, and yet you keep calling. Is it reasonable to think that the next call will turn out differently?

Call Date & Time (UTC)	Calling # Called #	Transcript	Audio
2023-01-12 18:58:25	17199663151 +17194559560	Hi, my name is Brian from senior aid Helper. Call on a recorded line. You can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm a senior aid helper regarding insurance, and my callback number is 833-213-4724.	Link
2023-01-13 15:42:26	17199663071 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-13 18:56:36	17192936444 +17194559560	Hi, my name is Ashley from senior aid helper calling on a recorded line and you just want to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with senior aid helper regarding insurance, and my callback number is 833-213-4724.	Link
2023-01-13 22:03:02	17195175522 +17194559560	Hi, my name is Charlotte from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-4724.	Link
2023-01-14 16:05:19	17195175335 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-17 18:54:04	17192936196 +17194559560	Hi, there. My name is Megan from Senior Aid Helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. I'm with Senior Aid helper. Regarding insurance. My call back number is 8332-134-4724.	Link

2023-01-17 22:07:35	17199370507 +17194559560	Hi, my name is Charlotte from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefit. Can you hear me okay, I'm with Senior Aid Helper regarding insurance. My call back number is 833-213-4724.	Link
2023-01-18 18:17:36	17195175729 +17194559560	Hi. This is Mackenzie. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. My call back number is 866-201-3695.	Link
2023-01-18 22:39:19	17195175363 +17194559560	Hi. This is Daniel. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. My callback number is 866-201-3695.	Link
2023-01-18 23:03:37	17196692307 +17194559560	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link
2023-01-19 15:43:38	17195175286 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-19 17:16:23	17195175162 +17194559560	Hi. This is Devin. I'm a homeowners associate with consumer council on a recorded line in regards to making improvements within your home. How are you today? I'm with consumer council, and you can press one of your moves. And with the way the economy is, there are new programs to help homeowners such as yourself get financial assistance to make those improvements to your home that you've been putting off. Have you been considering starting a remodel project for a while? I'm with consumer council. My callback number is 866-201-3695.	Link
2023-01-19 19:31:33	17192151098 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link

2023-01-20 15:47:36	17199370324 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-20 18:05:28	17199370306 +17194559560	Hi. This is Devin. I'm a homeowners associate with consumer council on a recorded line in regards to making improvements within your home. How are you today? I'm with consumer council, and you can press one of your moves. And with the way the economy is, there are new programs to help homeowners such as yourself get financial assistance to make those improvements to your home that you've been putting off. Have you been considering starting a remodel project for a while? I'm with consumer council. My callback number is 866-201-3695.	Link
2023-01-20 19:05:49	17192936730 +17194559560	Hi there. My name is Megan from Senior Aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Hello? Are you there? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-4724.	Link
2023-01-20 22:16:46	17193728088 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-23 15:49:17	17192949956 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-23 18:14:19	17195175406 +17194559560	Hi. This is Susie. I'm a homeowner's associate with Consumer council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. My callback number is 866-201-3695.	Link
2023-01-23 18:57:18	17199663038 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay.	Link

		I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	
2023-01-23 22:00:25	17199370698 +17194559560	Hi there. My name is Meaghan from Senior aid Helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Okay? And I just need to confirm a few pieces of information, and I'm going to ask you a series ease of yes or no questions. Now, first, are you between 50 and 64 years of age? I'm with Senior helper regarding insurance. My call back number is 833-213-4724.	Link
2023-01-24 15:40:22	17192936016 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-24 19:28:21	17196692347 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-24 22:41:27	17192949945 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-25 19:03:05	17199370057 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-26 16:23:28	17196692057 +17194559560	Hi, my name is Claire from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with Senior Aid Helper regarding insurance, and my call back number is 844-204-6688.	Link

2023-01-27 18:19:23	17195175267 +17194559560	Hi. This is Mackenzie. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. My call back number is 866-201-3695.	Link
2023-01-30 19:56:30	17196692186 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-31 18:52:03	17192936602 +17194559560	Hi, there. My name is Megan from Senior Aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. I'm with Senior Aid helper. Regarding insurance. My call back number is 8332-134-4724.	Link
2023-01-31 22:16:29	17192936540 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-01 01:22:54	17199370254 +17194559560	Hi, there. My name is Megan from Senior Aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. I'm with Senior Aid helper. Regarding insurance. My call back number is 8332-134-4724.	Link
2023-02-01 18:58:22	17192949895 +17194559560	Hi. This is Stephanie. I'm a homeowners associate with consumer counselor.	Link
2023-02-01 19:24:37	17192936066 +17194559560	Hi, my name is Brian from senior aid helper calling a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm a senior aid helper regarding insurance, and my callback number is 833-213-4724.	Link

2023-02-01 22:37:11	17192936780 +17194559560	Hi, my name is Amelia from Senior Aid Helper. Calling on a recorded line. You can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Are you still there? Are you still there? Hello? Are you there? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-02 16:59:21	17193568161 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-02-02 18:25:20	17192949902 +17194559560	Hi. This is Devin. I'm a homeowners associate with consumer council on a recorded line in regards to making improvements within your home. How are you today? I'm with consumer council, and you can press one of your moves. And with the way the economy is, there are new programs to help homeowners such as yourself get financial assistance to make those improvements to your home that you've been putting off. Have you been considering starting a remodel project for a while? I'm with consumer council. My callback number is 866-201-3695.	Link
2023-02-02 20:12:54	17195175618 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-02-02 21:57:19	17192152299 +17194559560	Hi there. My name is Meaghan from senior aid helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at senior aid helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Okay? And I just need to confirm a few pieces of information, and I'm going to ask you a series of yes or no questions. Now, first, are you between 50 and 64 years of age? Well, you know, I understand your concern, and I'm not going to ask you for any personal information that you need to worry about. These are just basic questions to see if we can pre qualify you for Social Security disability benefits. Okay?	Link

2023-02-02 23:46:47	17199370637 +17194559560	Hi. This is Daniel. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. My callback number is 866-201-3695.	Link
2023-02-03 18:20:36	17196692356 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-02-03 18:33:57	17195175346 +17194559560	Hi. This is Stephanie. I'm a homeowners associate with Consumer Council on a recorded line in regards to making home improvements within your home. How are you today? I'm with Consumer Council, and my call back number is 866-201-3695.	Link
2023-02-03 20:01:19	17192949937 +17194559560	Hi, there. My name is Megan from senior aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at senior aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. I'm with Senior Aid helper. Regarding insurance. My callback number is 833-213-4724.	Link
2023-02-03 21:31:24	17199370087 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-02-03 23:36:17	17192151990 +17194559560	Hi. This is Daniel. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today?	Link
2023-02-04 17:14:13	17199370399 +17194559560	Hi there. My name is Meaghan from Senior aid Helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Okay? And I just need to confirm a few pieces of information, and I'm going to ask you a series ease of yes or no questions. Now, first, are you between 50 and 64 years of age? I'm with Seniority helper regarding insurance. My call back number is 833-213-4724.	Link

2023-02-04 20:31:28	17192936494 +17194559560	Hi. This is Daniel. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. My callback number is 866-201-3695.	Link
2023-02-04 21:10:32	17199370224 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-06 17:11:55	17193568177 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-06 18:00:36	17199663171 +17194559560	Hi. This is Susie. I'm a homeowners associate with Consumer council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. My callback number is 866-201-3695.	Link
2023-02-06 21:31:34	17195175169 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-06 23:27:17	17198420874 +17194559560	Hi. This is Mackenzie. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. My call back number is 866-201-3695.	Link
2023-02-07 15:36:31	17199663082 +17194559560	Hi, there. My name is Kelli from Senior aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Okay? And I do just need to confirm a few pieces of information. So I'm just going to go ahead and ask you a series of yes or no questions. Now, first, are you between 49 and 62 years of age? I'm with Senior Aide helper regarding insurance, and my callback number is 844-204-6688.	Link

2023-02-07 18:50:10	17192936696 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-02-07 18:55:34	17196692036 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-08 18:07:51	17199370625 +17194559560	Hi. This is Mackenzie. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council, and you can press one to be removed. And with the way the economy is, there are new programs that help homeowners such as yourself get financial assistance to make those improvements to your home that you may have been putting off. Now, have you been considering starting a remodel project for a while? You know what? That's a good question. Basically, it's just my job to reach out to those who filled information out online. We then help people with their bathroom improvement needs. So I just have a few quick questions to see if you qualify. Okay? Now, do you own your home?	Link
2023-02-08 18:18:45	17192936327 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-08 21:08:27	17195175655 +17194559560	Hi, my name is Ashley from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability regarding insurance and my callback number is 833-213-1002.	Link
2023-02-09 00:44:56	17199370138 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link

2023-02-09 17:38:36	17192936690 +17194559560	Hi. This is Daniel. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. My callback number is 866-201-3695.	Link
2023-02-09 18:24:21	17195175313 +17194559560	Hi, my name is Amelia from senior aide helper. Calling on a recorded line. You can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Okay, I just need to confirm a few pieces of information, so I'm going to ask you a series of yes or no questions. Now first, are you between 50 and 64 years of age? I'm with Senior Aide helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-09 21:38:32	17192936352 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-10 18:34:29	17199370047 +17194559560	Hi. This is Daniel. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I am with Consumer Council and you can press one to be removed. With the way the economy is, there are new programs that help homeowners such as yourself get financial assistance to make those improvements to your home that you have been putting off. Have you been considering starting a remodel project for a while? I'm with Consumer Council. My callback number is 866-201-3695.	Link
2023-02-10 21:46:38	17195175308 +17194559560	Hi, my name is Amelia from Senior Aid Helper. Calling on a recorded line. You can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Hello? Are you there? I'm with Senior Aid helper. Regarding insurance. My call back number is 833-213-0993.	Link
2023-02-11 19:51:22	17196692124 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link

2023-02-13 15:23:06	17196692113 +17194559560	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance, and my call back number is 833-213-1002.	Link
2023-02-13 19:35:50	17196692370 +17194559560	Hi, my name is Charlotte from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I showed here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-4724.	Link
2023-02-14 15:58:24	17199370467 +17194559560	Hi, there. My name is Kelly from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. I'm with Senior Aid Helper regarding insurance, and my callback number is 04668.	Link
2023-02-16 23:38:04	17195175482 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for social security disability benefits. Can you hear me? Okay, well, what we do here at National Disability is help people qualify for up to \$2,600 a month in social security disability benefits. Are you looking to get social security disability benefits? I'm with National Disability Regarding insurance, and my call back number is 8332-1310.	Link
2023-02-17 17:07:33	17196692175 +17194559560	Hi, my name is amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for social security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-20 19:02:46	17196011719 +17194559560	Hi, there. My name is Kelly from Senior Aid helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid helper is help people qualify for up to \$2,600 a month in Social security disability benefits. Hello? Are you there? I'm with Senior Aid helper regarding insurance, and my callback number is 844-20-4668.	Link

2023-02-20 22:09:23	17199370410 +17194559560	Hi, my name is Charlotte from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for social Security disability benefits. Can you hear me okay? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-4724.	Link
2023-02-21 22:14:35	17195175641 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-22 16:24:19	17195175085 +17194559560	Hi, my name is Caitlin from senior aide to help her calling on a recorded line, and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with senior aide to help her regarding insurance, and my call back number is 844-204-6688.	Link
2023-02-22 23:04:00	17192936535 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-23 22:11:37	17196692300 +17194559560	Hi, my name is Charlotte from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with Senior Aid Helper regarding insurance. My callback number is 833-213-4724.	Link
2023-02-27 19:53:40	17192936435 +17194559560	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance, and my call back number is 833-213-1002.	Link
2023-03-01 19:51:19	17196692047 +17194559560	Hi there. My name is Megan from senior aid helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at senior aid helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Okay? And I just need I'm with senior aid helper regarding insurance. My call back number is 833-213-4724.	Link

2023-03-02 16:46:00	17192936441 +17194559560	Hi there. My name is Kelli from senior aid helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay? We do here at senior aid helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Okay? And I do just need to confirm a few pieces of information. So I'm just going to go ahead and add ask you a series of yes or no questions. Now, first, are you between 49 and 62 years of age? I'm with senior aide helper regarding insurance, and my call back number is 844-204-6688.	Link
2023-03-02 23:23:03	17192936576 +17194559560	Hi, my name is Charlotte from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I showed here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-4724.	Link
2023-03-03 16:52:48	17199370503 +17194559560	Hi, my name is Oliver from National Disability calling on a recorded line. You can press one of your move now. I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? OK, I'm with National Disability Regarding insurance and my callback number is 833-213-1002.	Link
2023-03-03 20:28:45	17195175003 +17194559560	Hi, my name is Charlotte from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-4724.	Link
2023-03-04 20:33:51	17198496661 +17194559560	Hi, there. My name is Kelli from senior aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at senior aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. I'm with senior aid helper regarding insurance, and my callback number is 04668.	Link
2023-03-06 16:01:46	17192949905 +17194559560	Hi, my name is Claire from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with Senior Aid Helper regarding insurance, and my call back number is 844-204-6688.	Link

2023-03-06 22:54:25	17195175237 +17194559560	Hi, my name is Charlotte from Senior Aid Helper, calling on a recorded line, and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2600 a month in Social Security disability benefits. Okay, I just need to confirm a few pieces of information, so I'm going to ask you a series of yes or no questions. First. Are you between 50 and 64 years of age? No. We have multiple websites out there to help those who may qualify for Social Security disability benefits. Are you looking to qualify for Social Security disability benefits?	Link
2023-03-08 18:46:47	17192936457 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-03-13 14:52:21	17195175191 +17194559560	Hi there. My name is Kelly from Senior Aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Sea I'm with Senior Aid Helper regarding insurance, and my call back number is 844-204-6688.	Link
2023-03-20 15:57:11	17195175678 +17194559560	Hi, my name is Ashley from National Disability calling on a recorded.	Link
2023-03-23 15:59:54	17196692161 +17194559560	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my callback number is 833-213-1002.	Link
2023-03-24 20:26:30	17198420852 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid Helper regarding insurance. My callback number is 833-213-0993.	Link
2023-03-30 16:10:20	17192936485 +17194559560	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at National Disability is help people qualify for up to \$2,600 a month in Social Security disability benefits. I'm with National Dis ability regarding insurance, and my callback number is 833-213-1002.	Link

2023-03-30 19:31:12	17199663541 +17194559560	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line, you could press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My callback number is 833-213-0993.	Link
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David Frankel
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 Tel: 1-800-FRANKEL (1-800-372-6535)
[Visit My Robocall Blog](#)

From: David Frankel <dfrankel@zipdx.com>
Sent: Friday, March 10, 2023 3:43 PM
To: 'Krawiec, Margaret E' <Margaret.Krawiec@skadden.com>
Cc: 'Tsakos, Sylvia' <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Thanks for your response, Margaret.

Regarding the entity known as “National Disability” – can you please share these registration details with me? As you no doubt know, the purpose of the TCPA regulation mandating an announcement of the entity responsible for the call is so that the called party (me, in this case) can know who it is that is calling. Making me hunt further to try to figure this out is not in keeping with the spirit of that regulation.

Regarding consent for calls to 405-768-1930, can you please share with me the details of this consent? You have said “a consumer provided consent” – but that was not me. It behooves us to work together to understand how this consent came to be. The telephone number has belonged to me for many months. Did DMS get this consent from a lead generator? Was the consent obtained at a web site? If so, what lead generator and what web site? Is there a Jornaya or Active Prospect validation of this lead? Is there an IP address? Did the “consumer” provide any other data? Errant leads like this one are not a one-off occurrence; in fact, in my considerable experience, this happens quite frequently. Unraveling the mystery of how it came to pass can help both of us learn how to prevent similar events.

As I have explained to you previously, me providing you with a list of MY numbers not to call does not address the systemic issues at play here. My objective is far loftier than just getting DMS Group to stop calling me. My goal is to have no American get a non-compliant call. It isn’t practical for me to separately provide my number(s) to DMS and to every other similarly-situated entity. And it isn’t practical for every other American to provide their number(s) separately to DMS – that is the point of a single federal DNC list. I am asking that you work with me to find a scalable, sharable solution that works for all, not a band-aid that fails to fix a broken system.

Have a nice weekend.

David

David Frankel
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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Friday, March 10, 2023 10:43 AM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

Thank you again for bringing this information to our attention. As we have previously noted, DMS takes its compliance obligations seriously and wants to work in good faith to rectify any issues related to unwanted calls as quickly as possible. We have investigated the latest number that you have provided and, based on the Company's review, a consumer provided consent to call [405-768-1930](tel:405-768-1930) on December 17, 2022. To ensure that you do not continue to receive unwanted calls on this number, DMS has placed it on its internal DNC list. We continue to believe that the most efficient way to ensure that you will not receive any unwanted calls from DMS moving forward would be to provide us all of the numbers for which you do not wish to be called so that they can be placed on DMS' internal DNC list.

DMS has also looked into the registration status of National Disability as requested. Based on DMS' review, the entity responsible for the call was properly identified at the start of the call and DMS has confirmed that the DBA was properly registered at the time of the call.

Best,
Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Wednesday, March 1, 2023 5:15 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Thank you for this information, Margaret. It's helpful.

Regarding item 2: I'll continue to stand by for registration details for "National Disability."

Regarding item 3: You indicate that "Vehicle Care Department" was being used in error. As a point of reference, I have 1,963 calls that appear to have come from DMS using that (erroneous) name. Of those, 50 were placed subsequent to 30-Nov-2022, when I brought the name to your attention.

As a next point of cooperative investigation, let's focus on recent calls to my number +1-405-768-1930. My records suggest DMS has, since the start of this year through today, placed 89 calls to that number, from 89 different caller-IDs. I've detailed these calls below.

This is troubling. This number has been on the federal DNC list since the end of October, 2022 (60+ days prior to Jan. 1, 2023). Presumably you have some form of consent, which I would like to see, as I can assure you that I have never consented to ANY calls to that number. It would not think it would be a huge research task for you to find that consent.

Once you have shared the consent details, then we can work together to understand how that came to be, when I, the owner of the number, did not grant it.

If you do not believe that DMS made all (or some) of the listed calls, then of course you can research that as well. It took me only a few minutes to find these calls in my database, but perhaps it is a more arduous task for you to search your database for calls to this specific number.

I'll also point out that in the audio of several of the calls (highlighted in bold below), the recording indicates that my response system tried to indicate that there was no consent. And yet the calls persisted subsequent to each of those calls.

I look forward to your response and appreciate your cooperation.

Call Date & Time (UTC)	Calling # Called #	Transcript	Audio
2023-01-03 14:12:04	14053894616 +14057681930	Hi, my name is Ashley from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability regarding insurance and my callback number is 833-213-1002.	Link
2023-01-03 18:27:57	14053894644 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link
2023-01-04 14:26:27	+14058973197 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link

2023-01-04 22:56:04	14052890508 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-05 14:46:22	14053937244 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link
2023-01-06 14:10:58	14053907620 +14057681930	Hi, there. My name is Audrey from Senior Aid Helper, calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Okay? And I just need to confirm a few pieces of information. I'm going to ask you a series of yes or no questions. Questions. I'm with Senior Aide helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-06 17:17:44	14053898468 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-06 20:45:07	+14053937692 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-07 20:06:12	14052890135 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-09 14:30:38	14052994266 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link

2023-01-11 14:15:34	14053368422 +14057681930	Hi, my name is Charlotte from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you've recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-4724.	Link
2023-01-11 17:16:20	14053368082 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-11 20:24:10	14053907966 +14057681930	Hi, my name is Brian from senior aid helper calling a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm a senior aid helper regarding insurance, and my callback number is 833-213-4724.	Link
2023-01-12 22:50:21	+14053357189 +14057681930	Hi there. My name is Megan from Senior Aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Hello? Are you there? I'm with Senior Aid helper regarding insurance. My callback number is 8338-213-4724.	Link
2023-01-13 23:28:09	14059144334 +14057681930	Hi, there. My name is Megan from senior aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at senior aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. I'm with Senior Aid helper. Regarding insurance. My callback number is 833-213-4724.	Link
2023-01-14 17:09:09	+14053937790 +14057681930	Hi, there, this is Natalia with Consumer Council on a recorded line, and you can press one to be removed. Can you hear me? Okay, so we're just following up with you because our records show that you may qualify for a new, low cost or possibly even free health insurance program. And I just need to confirm a few pieces of information with you. I'm with Consumer Council regarding health insurance. My call back number is 833-212-9897.	Link

2023-01-14 17:34:44	+14056467786 +14057681930	Hi there. My name is Megan from senior aid Helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at senior aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. I'm with Senior Aid helper. Regarding insurance. My callback number is 833-213-4724.	Link
2023-01-14 20:19:38	+14053937101 +14057681930	Hi, this is Claire with Consumer Council on a recorded line and you can press one to be removed. Can you hear me? Okay, I'm with Consumer Council regarding health insurance. My call back number is 833-212-9897.	Link
2023-01-15 20:09:19	14053525811 +14057681930	Hi, this is John with consumer counsel on a recorded line and you can press one to be removed. Can you hear me? Okay, but we're just following up with you because our records show that you may qualify for new, low cost or possibly even free health insurance programs. I just need to confirm a few pieces of information with you. I'm with Consumer Council regarding health insurance. My callback number is 833-212-9897.	Link
2023-01-16 14:19:52	14059143267 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-16 17:36:29	+14053938929 +14057681930	Hi, there. My name is Megan from Senior Aid Helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. I'm with Senior Aid helper. Regarding insurance. My call back number is 8332-134-4724.	Link
2023-01-16 22:35:59	+14053357779 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link

2023-01-16 23:19:46	+14052994098 +14057681930	Hi, this is Jason with consumer counsel on a recorded line, and you can press one to be removed. Can you hear me? Okay, well, we're just following up with you because our records show that you may qualify for new, low cost or possibly even free health insurance programs. So I just need to confirm a few pieces of information with you. You are under the age of 65, correct? I'm with Consumer Council. Regarding health insurance. My callback number is 833-212-9897.	Link
2023-01-17 14:35:54	+14053357764 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-17 15:13:51	+14053357977 +14057681930	Hi, this is Jason with Consumer Council on a recorded line, and you can press one to be removed. Can you hear me? Okay, well, we're just following up with you because our records show that you may qualify for new, lowcost or possibly even free health insurance programs. So I just need to confirm a few pieces of information with you. I'm with Consumer Council regarding health insurance. My callback number is 8332-1298.	Link
2023-01-18 15:10:01	14053525651 +14057681930	Hi, this is Sydney with consumer counsel on a recorded line and you can press one to be removed. Can you hear me? Okay.	Link
2023-01-18 20:17:49	14053525997 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link
2023-01-19 14:27:02	+14052668776 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-19 15:17:14	+14052895429 +14057681930	Hi, this is Claire with Consumer Council on a recorded line, and you can press one to be removed. Can you hear me? Okay, we're just following up with you because our records show that you may qualify for new, low cost, or possibly even free health insurance programs. I just need to confirm a few pieces of information with you. First, I want to confirm you are under the age of 65. Correct. I'm with Consumer Council regarding health insurance. My call back number is 833-212-9897.	Link

2023-01-19 17:50:06	14053368234 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-19 18:20:08	14052887148 +14057681930	Hi, this is Claire with Consumer Council on a recorded line, and you can press one to be removed. Can you hear me? Okay, we're just following up with you because our records show that you may qualify for new, low cost or possibly even free health insurance programs. I just need to confirm a few pieces of information with you. I'm with Consumer Council regarding health insurance. My callback number is 842-04-8394.	Link
2023-01-19 20:54:57	+14052895336 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link
2023-01-20 14:26:31	+14053937201 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-20 17:39:20	14053937158 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-20 19:05:47	14053525642 +14057681930	Hi, there. This is Natalia with Consumer Council on a recorded line, and you can press one to be removed. Can you hear me? Okay, so we're just following up with you because our records show that you may qualify for a new, low cost or possibly even free health insurance program. And I just need to confirm a few pieces of information with you. And you are under the age of 65, correct? I'm with Consumer Council regarding health insurance. My callback number is 8353-212-9897.	Link
2023-01-20 21:00:31	+14053368321 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link

2023-01-21 15:20:37	+14053378291 +14057681930	Hi, this is Amy with Consumer Council on a recorded line and you can press one to be removed. Can you hear me? Okay, records show that you may qualify.	Link
2023-01-21 16:17:12	14053525278 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-23 14:08:36	14059144323 +14057681930	Hi, there. My name is Audrey from Senior Aid Helper, calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. I'm with Senior Aid helper. Regarding insurance, my call back number is 833-213-0993.	Link
2023-01-23 17:15:24	+14053936981 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-23 20:28:04	+14053357139 +14057681930	Hi, my name is Ashley from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability regarding insurance and my callback number is 833-213-1002.	Link
2023-01-24 14:08:48	14053525829 +14057681930	Hi, there. My name is Audrey from Senior Aid helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay?	Link
2023-01-24 15:09:55	14059144386 +14057681930	Hi, this is Carrie with consumer counsel on a recorded line and you can press one to be removed. Can you hear me? Okay.	Link
2023-01-24 17:32:24	+14053907899 +14057681930	Hi, my name is Ashley from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability regarding insurance and my callback number is 833-213-1002.	Link

2023-01-24 20:43:17	14053478410 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-24 23:32:18	+14052669038 +14057681930	Hi, this is Donald with consumer counsel. On a recorded line, you could press the one to be removed. Can you hear me? Okay, great. Well, we're just following up with you because our records show that you may qualify for new, low cost or possibly even free healthcare insurance programs. I just need to confirm a few pieces of information with you. You are under the age of 65, correct? I'm with Consumer Council. Regarding health insurance, my callback number is 833-212-9897.	Link
2023-01-25 14:11:17	+14052968374 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-01-25 15:10:14	14053357753 +14057681930	Hi, there. This is Natalia with Consumer Council on a recorded line, and you can press on to be removed. Can you hear me? Okay, so we're just following up with you because our records show that you may qualify for a new, low cost, or possibly even free health insurance program. And I just need to confirm a few pieces of information with you. I'm so sorry. What was that? I don't have an answer to that question, and I don't want to give you the incorrect information. Go ahead and write write that down and the licensed agent in your state will be able to answer that for you. While I do understand your concern, and believe me, I can definitely relate, I'm not going to be asking.	Link
2023-01-25 17:21:42	14059144415 +14057681930	Hi, my name is Charlotte from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-4724.	Link
2023-01-25 20:32:15	14052887648 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance, and my call back number is 833-213-1002.	Link

2023-01-26 14:09:05	14053937501 +14057681930	Hi, my name is Ashley from senior aid helper calling on a recorded line and you just want to be removed. And I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with senior aid helper regarding insurance, and my call back number is 833-213-4724.	Link
2023-01-27 17:12:20	14052890251 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-27 20:22:02	14053936936 +14057681930	Hi there. My name is Megan from Senior Aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Hello? Are you there? I'm with Senior Aid helper regarding insurance. My callback number is 8338-213-4724.	Link
2023-01-28 16:22:39	+14053894060 +14057681930	Hi, my name is Ashley from senior aid helper calling on a recorded line and you just want to be removed. And I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with senior aid helper regarding insurance, and my callback number is 833-213-4724.	Link
2023-01-28 20:44:40	+14053894723 +14057681930	Hi, there. My name is Audrey from Senior Aid helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay?	Link
2023-01-30 14:42:41	+14053937388 +14057681930	Hi, there. My name is Megan from Senior Aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. I'm with Senior Aid helper. Regarding insurance. My call back number is 8332-134-4724.	Link
2023-01-30 17:10:34	14053525676 +14057681930	Hello, Belmont. I'm with Consumer Counsel regarding health insurance. My callback number is 833-213-1004.	Link

2023-01-30 18:04:22	+14053357761 +14057681930	Hi, my name is Claire from Senior Aid Helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with Senior Aid Helper regarding insurance, and my call back number is 844-204-6688.	Link
2023-01-30 21:08:12	14053898373 +14057681930	Hi, my name is Amelia from Senior Aid. Helper. Calling on a recorded line. You can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay. I'm with senior aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-31 14:53:59	+14053936342 +14057681930	Hi there. My name is Meaghan from Senior Aid Helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Okay? And I just need to confirm a few pieces of information, and I'm going to ask you a series series of yes or no questions. Now, first, are you between 50 and 64 years of age? I'm with Seniority helper regarding insurance. My call back number is 833-213-4724.	Link
2023-01-31 17:55:11	14053428228 +14057681930	Hi there. My name is Audrey from Senior Aid Helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Hello? Are you there? I'm with Senior Aid helper regarding insurance. My call back number is 833-213-0993.	Link
2023-01-31 21:16:32	+14053357284 +14057681930	Hi, my name is Caitlin from senior aide to help her calling on a recorded line, and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with senior aide to help her regarding insurance, and my call back number is 844-204-6688.	Link

2023-02-01 14:59:41	+14056467803 +14057681930	Hi, there. My name is Audrey from Senior Aid Helper, calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Okay? And I just need to confirm a few pieces of information. I'm going to ask you a series of yes or no questions. Questions. I'm with Senior Aide helper regarding insurance. My call back number is 833-213-0993.	Link
2023-02-01 18:02:14	14053894728 +14057681930	Hi there. My name is Meaghan from Senior aid Helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Okay? And I just need to confirm a few pieces of information, and I'm going to ask you a few series of yes or no questions. Now first, are you between 50 and 64 years of age? I'm with Seniority helper regarding insurance. My call back number is 833-213-4724.	Link
2023-02-01 21:08:01	14053525762 +14057681930	Hi, there. My name is Kelly from Senior Aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Hello? Are you there? I'm with Senior Aid Helper regarding insurance, and my callback number is 4420-4668.	Link
2023-02-02 14:39:35	+14053938942 +14057681930	Hi, there. My name is Audrey from Senior Aid Helper, calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. I'm with Senior Aid helper. Regarding insurance, my call back number is 833-213-0993.	Link
2023-02-02 16:25:08	+14053378376 +14057681930	Hi, there. My name is Megan from Senior Aid helper calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay?	Link

2023-02-02 22:55:54	14052890891 +14057681930	Hi, there. My name is Audrey from Senior Aid Helper calling on a recorded line, and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefits. Hello? Are you there? Are you looking to get SSDI benefits? Hello? Are you there? Hello? Are you there? Hello? Are you there? There? Hello? Are you there? I'm with Sunrun.	Link
2023-02-03 14:22:24	+14053357893 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-02-03 14:32:36	14056699786 +14057681930	Hi there. My name is Meaghan from Senior Aid Helper calling on a recorded line and you can press on to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at Senior Aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. Okay? And I just need to confirm a few pieces of information, and I'm going to ask you a series series of yes or no questions. Now, first, are you between 50 and 64 years of age? I'm with Seniority helper regarding insurance. My call back number is 833-213-4724.	Link
2023-02-03 23:01:23	14058835401 +14057681930	Hi, there. My name is Megan from senior aid Helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at senior aid Helper is help people qualify for up to \$2,600 a month in Social Security disability benefit. I'm with Senior Aid helper. Regarding insurance. My callback number is 833-213-4724.	Link
2023-02-06 18:13:55	14053357256 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link

2023-02-07 15:45:36	14052887310 +14057681930	Hi, my name is Oliver from National Disability. Calling on a recorded line. You can press one of your move now. I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, what we do here at National Disability is help people qualify for up to \$2,600 a month in Social Security disability benefits. I'm with National Disability Regarding insurance and my callback number is 833-213-1002.	Link
2023-02-08 21:40:56	+14056467736 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-02-09 14:32:12	+14052890114 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-02-11 17:53:27	+14053897415 +14057681930	Hi. This is Mackenzie. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. Regarding home improvement. My call back number is 844-204-8321.	Link
2023-02-11 20:55:11	14053525582 +14057681930	Hi. This is Mackenzie. I'm a homeowner's associate with Consumer Council on a recorded line in regards to making improvements within your home. How are you today? I'm with Consumer Council. Regarding home improvement. My call back number is 844-204-6421.	Link
2023-02-13 15:39:03	14053478416 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link
2023-02-14 21:26:54	+14053935727 +14057681930	Hi, my name is Caitlin from senior aide to help her calling on a recorded line, and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with senior aide to help her regarding insurance, and my call back number is 844-204-6688.	Link
2023-02-15 18:43:47	14059143524 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me?	Link

		Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	
2023-02-16 19:53:40	14053525338 +14057681930	Hi, there. My name is Kelly from Senior Aid helper calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for social security disability benefits. Can you hear me? Okay, senior Aid helper is help people qualify for up to \$2,600 a month in Social security disability benefits. Hello? Are you there? I'm with Senior Aid helper regarding insurance, and my callback number is 844-204-6688.	Link
2023-02-17 00:57:37	+14056467723 +14057681930	Hi, my name is Sophie from National Disability calling on a recorded line. And you can press one to be removed. Now, I show here that you recently inquired about your eligibility for social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding insurance, and my call back number is 833-213-1002.	Link
2023-02-17 20:08:50	14052797541 +14057681930	Hi, my name is caitlin from senior aide to help her calling on a recorded line, and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for social Security disability benefits. Can you hear me okay, I'm with senior aide to help her regarding insurance, and my call back number is 844-204-6688.	Link
2023-02-20 19:17:07	+14053936341 +14057681930	Hi, my name is Ashley from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for social security disability benefits. Can you hear me? Okay, I'm with National Disability regarding insurance and my callback number is 833-213-1002.	Link
2023-02-24 00:16:41	14052887807 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link
2023-02-27 16:43:05	+14052897995 +14057681930	Hi, my name is Caitlin from senior aide to help her calling on a recorded line, and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me okay, I'm with senior aide to help her regarding insurance, and my call back number is 844-204-6688.	Link

2023-02-28 15:45:51	+14053937186 +14057681930	Hi, my name is Oliver from National Disability calling on a recorded line. You can press one of your move now. I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? OK, I'm with National Disability Regarding insurance and my callback number is 833-213-1002.	Link
2023-02-28 22:29:11	+14052678879 +14057681930	Hi, my name is Brooke from National Disability calling on a recorded line. And you can press one to be removed. Now I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, I'm with National Disability Regarding Insurance and my callback number is 833-213-1002.	Link
2023-03-01 17:19:16	+14053357583 +14057681930	Hi, my name is Ashley from national disability calling on a recorded line and you can press one to be removed. Now, I show here that you recently inquired about your eligibility for Social Security disability benefits. Can you hear me? Okay, well, what we do here at national disability is help people qualify for up to \$2,600 a month in Social Security disability benefits. Hello? Are you there? Well, the main objective today is to prequalify you for Social Security security disability benefit.	Link

David

PS: There's another call that came in today as I was writing this note, but since I've already got everything formatted, I'll leave that one out.

David Frankel
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 St. George, UT USA
 Tel: 1-800-FRANKEL (1-800-372-6535)
[Visit My Robocall Blog](#)

From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Thursday, February 23, 2023 12:13 PM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Dear Mr. Frankel,

Thank you for your patience as our client looks into the issues you raised. Again, we dispute your characterization of DMS's calls as non-compliant with applicable laws. Nonetheless, below we've attempted to address the questions you've noted are priorities:

1. DMS, through its DBA Advocacy Center, placed the November 11, 2022 call identified in your chart below. Attached please find the Delaware and Pennsylvania registrations.
1. DMS placed the November 30, 2022 “National Disability” call identified in your chart below. National Disability is a DBA of a DMS client. DMS has reached out to the client for registration documents.
1. Zealous Services LLC placed the November 30, 2022 “Vehicle Care Department” call identified in your chart below. Zealous is not a DMS entity. DMS understands that the name “Vehicle Care Department” was used in error, and the issue has since been rectified.

Best,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Thursday, February 16, 2023 11:40 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Margaret,

It's been more than three weeks since I last wrote with what I thought were some very simple requests. I received your acknowledgement but no substantive response.

Since that last note of mine, I've received, to the best of my knowledge, over 5,000 calls from your client. Since I sent my formal cease-and-desist notice to you on November 30, 2022, I've logged more than 13,000. The quantity of numbers assigned to me is a miniscule fraction of the active numbers assigned to all Americans. Numerical extrapolation would suggest that a thousand calls to me would be indicative of millions of calls to others.

You indicated that your client wanted to be collaborative. With calls being made at this frenetic pace, I would have thought that there would some measure of urgency to ensure that the calls become compliant with all applicable regulations. I am certain that many of the calls are presently non-compliant and continue to offer to help resolve this, but that requires engagement by your client.

David

David Frankel
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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Tuesday, January 31, 2023 2:27 PM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Thank you, Mr. Frankel, for attempting to list your inquiries in order of priority. We will take your list into account as we work with our client to provide you a thoughtful response.

Best,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Tuesday, January 24, 2023 9:35 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Margaret –

Sorry to overwhelm you with my requests. Recognizing that some of my inquiries may require investigation on the part of your client, perhaps we could prioritize what I hope are some of the simpler questions regarding the entities responsible for some of the calls.

These points go back to my 8-Dec letter:

- [8-Dec] I heard “Advocacy Center” but only found “Consumer Advocacy Center.” Are these calls in fact from the Consumer Advocacy Center I found, and if so, do you intend to correct this discrepancy? If Consumer Advocacy Center is NOT the calling entity, can you please point me to the proper registration?

[11-Jan] You explained that “Advocacy Center” is registered in Delaware and Pennsylvania to DMS under subsidiary Forte Media Solutions, LLC. I looked here <https://file.dos.pa.gov/search/business> and here <https://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx>. Neither yielded a result for just “Advocacy Center”. Both yielded a result for “Forte Media” but I could not find “Advocacy Center” associated with either of those filings. **Can you guide me to the registration for Advocacy Center please?**

- [8-Dec] I heard “National Disability” and I heard “Vehicle Care Department.” Are there registrations for these entities, and if so, can you please point me to them?

[11-Jan] You wrote that “Neither National Disability nor Vehicle Care Department are DMS entities or trade names.” You referenced the call dates and times that I had previously provided. **Can you clarify if DMS did or did not make those calls? Does DMS make any calls where the caller announces they are “from National Disability” ([sample audio](#))? Has DMS made any calls in the past**

month of December where the caller announces they are “in the Vehicle Care Department” ([sample audio](#))?

I am merely trying to reach closure on these particular items by clarifying the responses that you already provided. I’m hoping that any required research is already done. If I’ve asked the wrong questions here, and there is some other measure of clarification that you could provide, that would be appreciated. If there’s anything further that you need from me on these particular items, please advise.

If we can whittle away incrementally at my set of questions and concerns, then we will both be able to feel good that we are making progress.

David

David Frankel
ZipDX® LLC
St. George, UT USA
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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Tuesday, January 24, 2023 8:42 AM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel –

Thank you for your response. We appreciate that you’ve indicated that you intend to be collaborative. We note, however, that DMS continues to dispute your characterizations of their actions as “nefarious” and your suggestions of wrongdoing and illegality. Furthermore, given the number of questions you have posed to DMS and the number of calls you’re asking DMS to look into (which reflect the high volume of numbers you’ve acquired not as a consumer, but for your business enterprise), surely you can understand that DMS will have to expend significant resources, expense, and time to respond substantively and in a thoughtful manner. Indeed, DMS personnel already have spent substantial resources and time investigating the inquiries you’ve sent to date. As you can appreciate, DMS is working to balance various competing demands on its time and resources. It therefore is difficult to provide you a precise date that the company will have a considered, substantive response to your questions. That said, DMS is working to investigate the issues you’ve raised, and the company takes your allegations seriously as we’ve noted from the outset. But please understand that it’s difficult at this time to provide you a date by which you can expect responses to your requests. We will do so as soon as we are able.

Best,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Monday, January 23, 2023 11:10 AM

To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Good morning Margaret –

In my most recent letter to you ten days ago, I asked that you set my expectations regarding when I would get a substantive response.

I haven't heard anything since I sent the note. Can you please let me know when you will be able to respond?

Thank you.

David

David Frankel
ZipDX® LLC
St. George, UT USA
Tel: 1-800-FRANKEL (1-800-372-6535)
[Visit My Robocall Blog](#)

From: David Frankel <dfrankel@zipdx.com>
Sent: Thursday, January 12, 2023 1:12 AM
To: 'Krawiec, Margaret E' <Margaret.Krawiec@skadden.com>
Cc: 'Tsakos, Sylvia' <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Margaret,

My response to your recent letter is attached.

It is most definitely intended to be collaborative.

David

David Frankel
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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Tuesday, January 10, 2023 4:22 PM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel –

Please see attached.

Best,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Tuesday, January 10, 2023 4:05 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Margaret,

While you and your client may have been on holiday for the past 2+ weeks, their robocall operation has continued apace. I've gotten over a thousand calls since your last note (below) that I believe come from DMS.

You've put me off with no specificity as to when you'll respond. "After the holidays" could have been last Tuesday, or it could be next month.

And the calls keep coming. This reinforces my belief that DMS's priority is to make their calls and generate their revenue while compliance takes a back seat. And you, their attorney, are apparently complicit in this.

I've tried to be helpful. I've provided example calls, enumerated various issues, and volunteered to work cooperatively to investigate these failed consents. So far all that's happened is DMS has activated their RND implementation, which they should have done a year ago. And that's only made a dent in the problem, not solved it. Are you anticipating that it will be another year to take the next steps, whatever they may be? And in the meantime, the non-compliant calling will continue?

Very disappointing.

David

David Frankel
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From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Friday, December 23, 2022 1:43 PM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

Thank you for your follow up email. DMS has continued looking into the issues you raised in your last letter, and can confirm that a RND process has been implemented throughout the company now. We plan to respond to your letter after the holidays, and we greatly appreciate your patience in the meantime.

Thanks very much for the holiday wishes, and we wish you the same.

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Tuesday, December 20, 2022 1:37 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

Hello Margaret –

I have not seen a response to my last note, which reiterated several points that you had not previously addressed, and also made a specific offer regarding mutual cooperation investigating the RMD and its effectiveness in this particular situation.

Additionally, it's been two weeks since your 5-December letter where you indicated that DMS's implementation of the RMD would "be complete within the next week or shortly thereafter."

Can you please advise on the status of that effort, and also whether I should anticipate a response to my 8-December letter (and if so, when)?

Thanks and happy holidays.

David

David Frankel
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St. George, UT USA
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From: David Frankel <dfrankel@zipdx.com>
Sent: Thursday, December 8, 2022 9:23 AM
To: 'Krawiec, Margaret E' <Margaret.Krawiec@skadden.com>
Cc: 'Tsakos, Sylvia' <Sylvia.Tsakos@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Hi Margaret –

I received your response earlier this week, which I appreciate. I've reviewed it and offer my reply, attached.

David

David Frankel
ZipDX[®] LLC
St. George, UT USA
Tel: 1-800-FRANKEL (1-800-372-6535)
[Visit My Robocall Blog](#)

From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Monday, December 5, 2022 6:16 PM
To: 'David Frankel' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel –

Hope this finds you well. Thank you for your November 30, 2022 letter. Attached please find DMS's response.

Best regards,

Margaret

From: David Frankel <dfrankel@zipdx.com>
Sent: Wednesday, November 30, 2022 4:19 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: Tsakos, Sylvia (WAS) <Sylvia.Tsakos@skadden.com>
Subject: [Ext] RE: Non-Compliant Calls from Digital Media Solutions

[I have attached a PDF as a formal transmittal of the letter below.]

Dear Ms. Krawiec,

It has been two weeks since our previous email correspondence. Per your stipulation at that time, I am writing to you in your capacity as counsel to Digital Media Solutions (DMS), 4800 140th Avenue North, Suite 101, Clearwater, FL 33762.

Like most other Americans, I am incessantly harassed by robocalls. These calls interrupt my work, meals, recreation time and sleep, impede my productivity, and cause me to incur expense and inconvenience attempting to mitigate them. Most of the calls I receive are illegal.

For years, I have used my professional expertise to identify the sources of these calls and to act to get them stopped. My efforts have met with some success, but I have a long way to go.

In an email I sent on 2-November, I put DMS on notice that they were sending non-compliant calls. Among other things, I explained that I was observing telemarketing calls from DMS to numbers listed on

the Federal Do-Not-Call list. Such calls are not permitted absent consent from the called party, and I can state confidently that no such consent had been granted in these cases. I requested evidence of consent but have received nothing.

By this letter, I am insisting that DMS cease and desist from placing calls to me that are not compliant with all applicable regulations. DMS needs to cease placing non-compliant calls to *all* Americans.

I am not an attorney, and I cannot give legal advice. But you are and you can. As you are no doubt aware, there are a variety of laws and regulations applicable to the placing of telephone calls. These include (but are not limited to):

The Telephone Consumer Protection Act, among other things (see generally 47 CFR § 64.1200):

1. Restricts automated calls and calls using an artificial or pre-recorded voice to numbers assigned to mobile phones and other services for which a charge is made
2. Dictates, with specificity, announcements that must be included in recorded or automated voice calls
3. Precludes telemarketing calls to numbers on the national Do Not Call list

The Truth-In-Caller-ID Act (see generally 47 CFR § 64.1601 and 64.1604):

4. Prohibits the transmission of misleading caller identification information (regardless of whether the number is assigned to the caller or used with permission)
5. Requires for telemarketing that valid Caller-ID be presented and supports do-not call requests

The Telemarketing Sales Rule (see generally 16 CFR § 310, and often overlapping with TCPA):

6. Mandates compliance with the national Do Not Call list
7. Restricts the use of prerecorded messages
8. Specifies the speed with which an answered call will be connected to an agent
9. Requires disclosure of the seller's identity and the nature of goods or services offered

Many states have their own specific laws, including registration requirements for telemarketers.

Additionally, of course, there are a variety of laws against fraud (see generally 18 USC 47).

I am confident that you, as counsel to DMS, will advise them as you deem appropriate regarding the above. I'd also make the following points which may inform the guidance you share with them:

10. Many rules and regulations specify per-call or per-day penalties for violations; this is to instill urgency in addressing any issues as significant liability can accrue quite rapidly.
11. Thanks to technologies including wireless roaming, nomadic VoIP and call forwarding, calls to a specific area code may reach an individual located in a state other than that typically associated with the area code; similarly, avoiding calling particular code(s) may not avoid reaching individuals located in the associated state(s).
12. A caller is not at liberty to pick and choose which rules they will and will not follow; all applicable rules must be obeyed.

As you know, callers using a recorded voice (including those using so-called sound board technology) are required to identify, at the beginning of the message, the entity responsible for the call. I researched the following names that I am hearing on various calls and believe they are all associated with DMS – all that I found listed the address 4800 140th Ave N, Suite 101, Clearwater FL:

Name Heard In Recording	Registration Type / Info	Sample Call Details
Senior Aid Helper Audio Link	Florida Assumed Name FORTE MEDIA SOLUTIONS, LLC Joseph Marinucci, Managing Member	TO: 12568882112 FROM: 12564883332 TIME: 2022-11-30 17:29:53 UTC
Medicare Rewards Audio Link	Florida Assumed Name EDGE MARKETING, LLC Assumed Name/DBA DMS Edge LLC	TO: 12282153809 FROM: 12282621316 TIME: 2022-11-30 18:19:29 UTC
Consumer Council Audio Link	Pennsylvania Domestic Fictitious Names FORTE MEDIA SOLUTIONS, LLC Joseph Marinucci, Managing Member	TO: 12249042224 FROM: 12244720780 TIME: 2022-11-30 18:02:28 UTC
Advocacy Center Audio Link	Found "Consumer Advocacy Center" Florida Assumed Name PERFORMANCE MARKETERS GROUP, LLC Digital Media Solutions LLC, Member	TO: 19512263595 FROM: 19515022048 TIME: 2022-11-29 20:38:58 UTC
National Disability Audio Link	Not Found	TO: 19414993661 FROM: 19413004851 TIME: 2022-11-30 18:07:46 UTC
Vehicle Care Department Audio Link	Not Specific	TO: 14354382804 FROM: 14352547606 TIME: 2022-11-30 17:32:49 UTC

My analysis suggests that these calls are all coming from your client, which you and they can confirm (or deny) from the precise call details that I've included above.

All of the example called numbers are on the Do-Not-Call list. For these calls to be compliant, I would have to have granted express written consent, which I did not do. (Nor have these numbers been published or distributed by me.) If your client obtained consent from prior assignees of the numbers, they would know and address that via the FCC's Reassigned Numbers Database. Beyond that, I know of no credible innocent explanation (such as typographical errors or misunderstandings) that could explain how your client could claim consent for these calls and the very large volume of similar calls that I see.

A few other outcomes of my analysis of calls that appear to have come from your client since Oct-1 2022 and identifying as being from "Medicare Rewards":

13. 109 calls to my number 931.299.2188 from 92 DIFFERENT caller-IDs; all those caller-IDs had 931 as the area code but unique last seven digits
14. 100 calls to my number 440.336.9852 from 76 DIFFERENT caller-IDs; 99 of those caller-ID's had 440 as the area code but unique last seven digits
15. 76 calls to my number 208.739.9022 from 66 DIFFERENT caller-IDs; all those caller-ID's had 208 as the area code but unique last seven digits
16. Many other calls following similar patterns
17. Caller-IDs reflecting area codes associated with 40 different states for Medicare Rewards, 45 states plus DC for Senior Aid Helper, 40 states plus DC for Consumer Council, 39 states plus DC for National Disability

I tentatively conclude that this manipulation of Caller-ID is done with the intent to mislead the called party (or analytics programs operating on their behalf) regarding the location of the caller and/or source of the calls.

This letter contains results from an analysis that is complex and, potentially, less than 100% accurate. There could, for example, be callers that are purposefully imitating your client. Or I may have somehow misinterpreted or misconstrued some aspect of what is at play here. Nonetheless I believe, in good faith that my conclusions are sound. I expect your client has records that can validate or dispute what I've presented.

I hope to see prompt changes that bring the calls I observe into full compliance. I have a history of doggedly pursuing my initiatives to a reasonable conclusion. Within a week I expect to determine my next steps in this case, so I'm anxious to hear from you by Monday the 5th if you have misgivings about what I've documented here or other suggestions regarding how I proceed. I am willing to discuss any aspect of this matter via telephone and/or email.

Regards,

David

David Frankel

ZipDX® LLC

St. George, UT USA

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[Visit My Robocall Blog](#)

From: David Frankel <dfrankel@zipdx.com>

Sent: Tuesday, November 15, 2022 12:23 PM

To: 'Krawiec, Margaret E' <Margaret.Krawiec@skadden.com>

Cc: 'Tsakos, Sylvia' <Sylvia.Tsakos@skadden.com>

Subject: RE: Non-Compliant Calls from Digital Media Solutions

Greetings Margaret – thanks for your note. I'll intersperse my responses within your text if that's OK.

Hope this finds you well. We serve as counsel to Digital Media Solutions ("DMS") and are reaching out in connection with your inquiries. DMS takes all suggestions of impropriety seriously and seeks to work collaboratively with those who raise legitimate concerns. We are looking into your requests. We are concerned with your inquiries, however, because DMS has reason to believe that you have made disparaging and untrue comments to others about the company and its practices.

I do not know what that "reason to believe" might be. The only information I've shared with (a few) others regarding DMS is the factual information that I shared with DMS directly in my original email, and other publicly available information available on the Web.

We also want to avoid a situation in which individual employees at the company feel threatened by repeated inquiries that can be perceived as having a hostile tone.

My intent was not to be hostile or threatening; in fact, just the opposite. If you can point out to me specifically where I went off the rails, I'll use that as a learning experience to inform my future correspondence.

I'm unclear with respect to your mention of "repeated inquiries." This is a single email thread. I reiterated, in one of my responses, a request for evidence of consent that I had previously made that went unaddressed. I said "Is that something you are able to provide?" Help me understand how that is hostile.

Or perhaps you are just saying that you don't want this to escalate to the point of threats and hostility, and are not actually accusing me of that at this point.

Indeed, there is no basis to insist on the names of individual DMS employees, particularly when DMS Compliance has attempted to be responsive in good faith to your requests to date.

In my five-plus decades corresponding formally with others, I've always volunteered my name and prefer that others do the same. Maybe I am old-fashioned. I am glad that your email arrived with your full name; I was able to look you (and your colleague) up on the Skadden web site, which I found helpful. I would have had a different reaction if your note came from litigation@skadden.com (for example) and did not identify you specifically. And I appreciate that you signed your note Margaret.

I doubt there are laws that dictate these practices; it's just my preference (and apparently yours too). DMS can ignore my request for a name, just like they can ignore my requests for evidence of consent.

Based on your emails, moreover, we understand that you are not reaching out to the company as a consumer

I introduced myself in my first email: "I am David Frankel, a relentless crusader against illegal robocalls for the past decade." It is in this capacity that I am reaching out to DMS. I am not sure if you have researched my background or if you care. Among other things I have testified in DC: <https://legalcallonly.org/testifying-at-the-senate-special-committee-on-aging/> and I am a prolific filer in the FCC's various proceedings related to robocalls, all available in ECFS. I do this work on behalf of myself, my family, my friends, and every other American impacted by illegal robocalls.

– in particular, you noted that you'd like the calls to your numbers to stop, but when the company offered to put any and all of your numbers on its internal do not call list, you did not accept the offer.

As I explained in my response: "I'm not prepared to provide you with a list of all my numbers. I'm asking that you follow the applicable regulations, which would preclude calls to my numbers without my needing to provide you a list." This is precisely why the Federal Do-Not-Call list exists: so that every individual does not have to make separate requests to every potential caller. There are approximately 250 million numbers on that Federal list, all of which need to be respected.

For those reasons, the company is concerned about the motives behind your outreach.

I do this work on behalf of myself, my family, my friends, and every other American impacted by illegal robocalls. What is the "concern" about my "motivation"? Do you believe that my work is somehow nefarious?

It also is unclear under what supposed authority you're requesting information from the company,

I believe that as the recipient of several specifically-identified telemarketing calls from the company, I am entitled to know on what basis they are making those calls which absent consent would be prohibited. I do not claim that I have any enforcement authority.

how you can attest to the veracity of the information you're providing, and how the company can be confident in the veracity of the information.

DMS can check their own records to confirm that they placed the calls in question at precisely the times I stated, from and to the numbers I listed. I have provided recordings of the calls. Who besides the subscriber to the numbers would have this information? What about the veracity of the information is in question?

The company reserves all rights. Please direct any further communications to Skadden.

I, too, reserve all rights. I look forward to expeditious resolution of this matter. Should you wish to speak with me as a supplement to email, I'm available at the number below.

David

David Frankel
ZipDX[®] LLC
St. George, UT USA
Tel: 1-800-FRANKEL (1-800-372-6535)
[Visit My Robocall Blog](#)

From: Krawiec, Margaret E <Margaret.Krawiec@skadden.com>
Sent: Tuesday, November 15, 2022 10:01 AM
To: 'dfrankel@zipdx.com' <dfrankel@zipdx.com>
Cc: Tsakos, Sylvia <Sylvia.Tsakos@skadden.com>
Subject: FW: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

Hope this finds you well. We serve as counsel to Digital Media Solutions ("DMS") and are reaching out in connection with your inquiries. DMS takes all suggestions of impropriety seriously and seeks to work collaboratively with those who raise legitimate concerns. We are looking into your requests. We are concerned with your inquiries, however, because DMS has reason to believe that you have made disparaging and untrue comments to others about the company and its practices. We also want to avoid a situation in which individual employees at the company feel threatened by repeated inquiries that can be perceived as having a hostile tone. Indeed, there is no basis to insist on the names of individual DMS employees, particularly when DMS Compliance has attempted to be responsive in good faith to your requests to date. Based on your emails, moreover, we understand that you are not reaching out to the company as a consumer – in particular, you noted that you'd like the calls to your numbers to stop, but when the company offered to put any and all of your numbers on its internal do not call list, you did not accept the offer. For those reasons, the company is concerned about the

motives behind your outreach. It also is unclear under what supposed authority you're requesting information from the company, how you can attest to the veracity of the information you're providing, and how the company can be confident in the veracity of the information. The company reserves all rights. Please direct any further communications to Skadden.

Best regards,

Margaret

From: David Frankel [<mailto:dfrankel@zipdx.com>]
Sent: Wednesday, November 9, 2022 2:51 PM
To: 'DMS Compliance' <compliancedept@dmsgroup.com>
Subject: RE: Non-Compliant Calls from Digital Media Solutions

Greetings.

In these particular cases, I did not personally answer. There is a LINK indicated in each row of the table I supplied that is a recording of the call; you'll hear that an automated system is answering on my behalf.

I'm not prepared to provide you with a list of all my numbers. I'm asking that you follow the applicable regulations, which would preclude calls to my numbers without my needing to provide you a list.

In the spirit of answering each other's questions:

- 1) I would like to know with whom I am corresponding. Would you please provide me with your name and title at DMS Group?
- 2) My original inquiry indicated that I understood you believed you had consent to place these calls, and I requested evidence of that consent. Is this something you are able to provide?
- 3) I traced two more calls, placed on 30-Oct, back to DMS Group. Both calls were to 18638732213. The recordings are similar: https://s3.amazonaws.com/lco-voicemail/578055_tZqK4e4t.mp3. Can you please supply evidence of consent for you to call 18638732213?

Regards,

David

David Frankel
ZipDX® LLC
St. George, UT USA
Tel: 1-800-FRANKEL (1-800-372-6535)
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From: DMS Compliance <compliancedept@dmsgroup.com>
Sent: Wednesday, November 9, 2022 12:08 PM

To: 'David Frankel' <dfrankel@zipdx.com>

Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

Thank you for your response. Could you please confirm whether you personally answered the phone calls indicated below? We also are happy to put your numbers (7066888567; 7173788541; 4694213802; and 9315001530) on our internal do not call list, per your request that there are no further calls to any of your numbers. Please also provide us a full list of all your numbers so that we can put them all on our internal do not call list, given your request that there are no further calls to any of your numbers.

Best,

DMS Compliance Team

compliancedept@dmsgroup.com

NYSE: DMS

insights.digitalmediasolutions.com

<image001.jpg>

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From: David Frankel [<mailto:dfrankel@zipdx.com>]

Sent: Friday, November 4, 2022 4:28 PM

To: 'DMS Compliance' <compliancedept@dmsgroup.com>

Subject: RE: Non-Compliant Calls from Digital Media Solutions

Hello –

Thanks for your response.

Yes, I am the owner of all the called telephone numbers I referenced.

9314129257 was assigned to me on 2022-08-18.

7069546234 was assigned to me on 2022-08-25.

7175620925 and 4695223645 were assigned to me on 2022-09-12.

David

David Frankel

ZipDX® LLC

St. George, UT USA

Tel: 1-800-FRANKEL (1-800-372-6535)

[Visit My Robocall Blog](#)

From: DMS Compliance <compliancedept@dmsgroup.com>

Sent: Friday, November 4, 2022 1:47 PM

To: dfrankel@zipdx.com

Subject: RE: Non-Compliant Calls from Digital Media Solutions

Mr. Frankel,

Thank you for your email.

We are working with outside counsel at Skadden, Arps, Slate, Meagher & Flom LLP to review your email. As a preliminary matter, can you please confirm that you are the owner of all of the telephone numbers you reference? Please also provide the date(s) that you became the owner of the telephone numbers at issue.

Thank you,

DMS Compliance Team

compliancedept@dmsgroup.com

NYSE: DMS

insights.digitalmediasolutions.com

<image001.jpg>

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From: David Frankel <dfrankel@zipdx.com>
Sent: Wednesday, November 2, 2022 7:33 AM
To: bshields@dmsgroup.com; IRodriguez @dmsgroup.com
Subject: Non-Compliant Calls from Digital Media Solutions

[Resending in an attempt to fix Lucy's email address.]

Hello Lucy and Brad –

I am David Frankel, a relentless crusader against illegal robocalls for the past decade. With my company, ZipDX, I have developed a robocall surveillance platform that monitors telephone numbers assigned to me for non-compliant calls. I am respectful of legal calls, but have zero tolerance for those that do not follow all of the rules.

Our system has identified several categories of calls that appear to come from a common source. We traced a handful of those back via USTelecom's Industry Traceback Group, and they led to Digital Media Solutions as shown in the chart below.

DATE /TIME UTC	CALLING #	CALLED #	SPEECH-TO-TEXT	AUDIO LINK	Traceback ID	Do Not Call Registration	Originating Provider	Provider Action Taken	Identified Party	Address	Contact
10/10/2022 14:40	17066888567	17069546234	Hi, this is Stephanie, and I'm a homeowner associate calling on a recorded line in regard	Link	10778	FEDE RAL DNC	RingSquare / Nova tel / X5 Solutions / Magna5 (Frisco, TX)	Asked calling party for information, Contacted Brad and Lucy from DMS and awaiting respon	Digital Media Solutions (DMS)	Address: 4800 140th Ave N Ste 101, City: Clearwater, State: Florida, Zip: 33762,	Name: Brad Shields, Email: bshields@dmsgroup.com , Phone: 4356686564

			ds to safety concerns within your home . How are you doing today ? I'm with Consumer Council, and my call back number is 866-201-3695.					se and action.		Country: United States	
10/8/2022 22:55	17173788541	17175620925	Hi, this is Stephanie, and I'm a homeowners associate calling on a recorded line in regards to safety conce	Link	10779	FEDERAL DNC	Avid Telecom (Tucson, AZ)	Asked calling party for information, We have requested consumer permission information from customer.	Digital Media Solutions	Address: 4800 140th Avenue North , Suite 101 , City: Clearwater , State: Florida , Zip: 33762 ,	Name: Lucy Rodriguez , Email: lrodriguez@dmsgroup.com , Phone: 7024011924

			rns withi n your home . How are you doing today ? I'm with Consu mer Coun cil, and my callba ck numb er is 866- 201- 3695.							Coun try: Unite d State s	
9/27 /202 2 20:1 6	14694 21380 2	14695 22364 5	Hi. This is Ashle y with Kim. Hi. I can't hear you. That was a yes. Are you intere sted in a new insura nce plan? Hi. I can't	Lin k	106 83	FEDE RAL DNC	Avid Telec om (Tusc on, AZ)	Asked calling party for inform ation, Asked custo mer for consu mer permis sion. Given you are comm enting about the recordi ng, it	Digit al Med ia Solu tion	Addr ess: 4800 140th Aven ue North , Suite 101 , City: Clear water , State: Florid a , Zip: 3376 2 , Coun try: Unite	Name: Lucy Rodriguez , Email: lrodriquez@ dmsgroup.c om , Phone: 7024011924

			hear you. That was a yes. Are you interested in a new insurance plan? Thank you. Have a nice day.					would be incredibly helpful to have the recording. Also note from terminating vendor time of call is actually 20:16:17 UTC.		d States	
9/28/2022 16:58	19315001530	19314129257	Hi. Yeah, this is tricia. I called because, based on the form you filled out online, you may qualify to cancel your timeshare contract.	Link	10684	FEDERAL DNC	Avid Telecom (Tucson, AZ)	Asked calling party for information, Initial recording is not heard because AI immediately asks "Why are you calling", so no determination can be	Digital Media Solutions, LLC	Address: 4800 140th Ave N, Suite 101, City: Clearwater, State: Florida, Zip: 33762, Country: United States	Name: Lucy Rodriguez, Email: lrodriguez@dmsgroup.com , Phone: 7024011924

And I have just a few questions to see if we can help. Is that okay? Well, the purpose purpose of my call today well, the purpose of my call today is just to see if we can help you cancel your timeshare contract. And I have just a couple of questions

made about customer recording. We are requesting proof of consumer permission from customer.

to
ask,
and
then I
can
get
you
over
to
one
of our
exit
consu
ltants

.
Okay.
Okay.
Well,
I am
so
sorry,
but
you
do
need
to
own a
times
hare
in
order
to
qualif
y.
Thank
you
for
your
time,
and I
hope
you
have
a
great
day.

The traceback responses from the originating providers suggest that perhaps the caller (DMS) believes it has consent to make these calls, but I believe that's impossible. I have not published or otherwise advertised or provided my numbers to anybody, on the web or otherwise. While I could understand an occasional typo that might result in an errant call, the volume of calls I am receiving could not be explained that way.

To the extent you have evidence of consent for the above calls, I am anxious to see it, so that we can work together to ensure these calls stop and that there are no further calls to any of my numbers.

I am not a telecommunications attorney (nor an attorney with any other specialization), so I can't give you legal advice. I do know that telemarketing calls to numbers on the Federal Do-Not-Call list are prohibited, absent valid consent. I also know that calls using a pre-recorded or artificial voice must identify the legal name of the entity responsible for the call at the beginning of the message, and must provide a contact telephone number in that message. I am not hearing that in (the beginning of) these messages.

The above tracebacks are just a few samples from the thousands of similar calls I've received, and appear to be indicative of millions of non-compliant calls being made nationwide.

Again, I ask that you please share any evidence of consent that you might have, and also promptly address all other non-compliant aspects of these calls. We can certainly convene a virtual meeting to discuss further, should you have any questions, indications that my conclusions are in error, or other feedback.

I hope you are as anxious as I am to have all calls compliant with all applicable regulations. I would appreciate an initial response by the end of the week.

Regards,

David

David Frankel
ZipDX® LLC
St. George, UT USA
Tel: 1-800-FRANKEL (1-800-372-6535)
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