

United States of America
FEDERAL TRADE COMMISSION
East Central Region

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

Jon Miller Steiger
Director

August 23, 2022

CEASE AND DESIST DEMAND

VIA EMAIL TO:

aamar@familycommunication.it
noc@familycommunication.it

Family Communication Inc.
c/o Fahid Mustafa, CEO
3040 Hone Avenue
Bronx, NY 10469

We have determined that Family Communication Inc. is apparently routing and transmitting illegal robocall traffic, directly or indirectly, for entities involved in the following campaigns:

- x Amazon imposter – authorized order
- x Amazon imposter – suspicious charge
- x Authorized order
- x Government imposter – Social Security Administration
- x Law enforcement or legal action notice

More specifically, our investigation revealed that Family Communication Inc. apparently routed and transmitted illegal robocalls, as set forth in Attachment A.

The Federal Trade Commission (FTC) works closely with USTelecom's Industry Traceback Group (ITG), which is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks.¹ Between January 18, 2021, and July 19, 2022, ITG investigated 30 prerecorded voice message calls that law enforcement, voice service providers using honeypots (i.e., unassigned numbers held by providers to detect illegal robocalls), and customers of YouMail had flagged as illegal robocalls made without consent of the called party.² ITG conducted tracebacks and determined that Family Communication Inc. routed and transmitted the calls. ITG previously notified you of these calls and provided you access to

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

² See 16 C.F.R. § 310.4(b)(1)(v).

assisting and facilitating claims against technology companies that knowingly provided software and servers used by illegal robocallers, even though these technology companies did not contract directly with the illegal robocallers. See *FTC v. James B. Christian*, Case No. 8:18-cv-00936 (C.D. Cal. May 31, 2018).

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

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

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

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

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

⁸ A copy of the FTC's Complaint is attached as Attachment D.

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

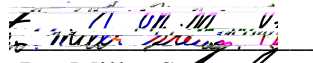
¹⁰ See <https://www.justice.gov/opa/pr/department-justice-files-actions-stop-telecom-carriers-who-facilitated-hundreds-millions>.

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

¹² For example, the Vermont and Michigan Attorneys General have brought successful actions against VoIP providers who route scam robocall traffic. See

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

Sincerely,



Joñ Miller Steiger
Director

Enclosures:

Attachment A (Chart of illegal robocalls)

Attachment B (TSR)

Attachment C (Educare Amended Complaint)

Attachment D (Alcazar Complaint)

<https://ago.vermont.gov/blog/2021/04/28/attorney-general-donovan-announces-settlement-with-scam-robocall-carrier/>;
https://www.michigan.gov/documents/ag/Assurance_of_Voluntary_Compliance_-_All_Access_Telecom_FINAL_9-11-20_702047_7.pdf, and,
<https://www.michigan.gov/ag/0,4534,7-359--536108--s,00.html>.

ATTACHMENT A

| Date of ITG Notification | Date of Call | Caller ID | Robocall Campaign Identifier | Link to Robocall Recording | Potential Violation |
|---------------------------------|---------------------|------------------|-------------------------------------|---|----------------------------|
| 7/19/2022 | 7/17/2022 | 4408995598 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/959857 | 16 C.F.R. § 310.4(b)(1)(v) |
| 7/18/2022 | 7/17/2022 | 8282978154 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/959878 | 16 C.F.R. § 310.4(b)(1)(v) |
| 7/11/2022 | 7/10/2022 | 6036651250 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/951273 | 16 C.F.R. § 310.4(b)(1)(v) |
| 6/22/2022 | 6/17/2022 | 3176028654 | Amazon-SuspiciousCharge-P1 | https://portal.tracebacks.org/api/public/attachments/924832 | 16 C.F.R. § 310.4(b)(1)(v) |
| 6/14/2022 | 6/8/2022 | 5099939268 | Amazon-SuspiciousCharge | https://portal.tracebacks.org/api/public/attachments/892635 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/23/2022 | 5/21/2022 | 8066856829 | Legal-Consequences | https://portal.tracebacks.org/api/public/attachments/868741 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/23/2022 | 5/20/2022 | 9176225592 | Legal-Consequences | https://portal.tracebacks.org/api/public/attachments/868734 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/23/2022 | 5/20/2022 | 8433198922 | Legal-Consequences | https://portal.tracebacks.org/api/public/attachments/868731 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/23/2022 | 5/20/2022 | 9155615476 | Legal-Consequences | https://portal.tracebacks.org/api/public/attachments/868729 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/20/2022 | 5/17/2022 | 7632606180 | Authorized-Order | https://portal.tracebacks.org/api/public/attachments/864698 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/19/2022 | 5/17/2022 | 7134746344 | LegalDept-Action-P1 | https://portal.tracebacks.org/api/public/attachments/859409 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/19/2022 | 5/16/2022 | 8288638057 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/857388 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/19/2022 | 5/16/2022 | 6015588997 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/857381 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/19/2022 | 5/16/2022 | 7346060301 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/857376 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/12/2022 | 5/7/2022 | 9176723540 | Amazon-SuspiciousCharge-P1 | https://portal.tracebacks.org/api/public/attachments/838941 | 16 C.F.R. § 310.4(b)(1)(v) |

| | | | | | |
|------------|------------|------------|----------------------------|---|----------------------------|
| 5/12/2022 | 5/7/2022 | 8596241622 | Amazon-SuspiciousCharge-P1 | https://portal.tracebacks.org/api/public/attachments/838931 | 16 C.F.R. § 310.4(b)(1)(v) |
| 5/12/2022 | 5/7/2022 | 8437778709 | Amazon-SuspiciousCharge-P1 | https://portal.tracebacks.org/api/public/attachments/838919 | 16 C.F.R. § 310.4(b)(1)(v) |
| 4/8/2022 | 4/7/2022 | 5033123233 | Amazon-SuspiciousCharge-P1 | https://portal.tracebacks.org/api/public/attachments/800146 | 16 C.F.R. § 310.4(b)(1)(v) |
| 1/12/2022 | 1/10/2022 | 5105888068 | SSA-KindlyPressOne | https://portal.tracebacks.org/api/public/attachments/630197 | 16 C.F.R. § 310.4(b)(1)(v) |
| 12/9/2021 | 12/7/2021 | 9179307243 | SSA-KindlyPressOne | https://portal.tracebacks.org/api/public/attachments/584752 | 16 C.F.R. § 310.4(b)(1)(v) |
| 12/8/2021 | 12/6/2021 | 6626260391 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/582920 | 16 C.F.R. § 310.4(b)(1)(v) |
| 11/13/2021 | 11/11/2021 | 5138721787 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/557684 | 16 C.F.R. § 310.4(b)(1)(v) |
| 11/13/2021 | 11/10/2021 | 8596947396 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/557662 | 16 C.F.R. § 310.4(b)(1)(v) |
| 11/8/2021 | 11/3/2021 | 2703410948 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/549488 | 16 C.F.R. § 310.4(b)(1)(v) |
| 11/6/2021 | 11/3/2021 | 3128126138 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/549499 | 16 C.F.R. § 310.4(b)(1)(v) |
| 11/5/2021 | 11/3/2021 | 3022834973 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/549502 | 16 C.F.R. § 310.4(b)(1)(v) |
| 11/5/2021 | 11/3/2021 | 8599884884 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/549490 | 16 C.F.R. § 310.4(b)(1)(v) |
| 11/5/2021 | 11/2/2021 | 8023773186 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/549476 | 16 C.F.R. § 310.4(b)(1)(v) |
| 11/4/2021 | 11/3/2021 | 6065071531 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/549491 | 16 C.F.R. § 310.4(b)(1)(v) |
| 11/4/2021 | 11/3/2021 | 6017613051 | Amazon-AuthorizeOrder | https://portal.tracebacks.org/api/public/attachments/549483 | 16 C.F.R. § 310.4(b)(1)(v) |