

each call—including a recording of the illegal robocall—as indicated in Attachment A. Further, the numerous traceback notices directed to One Eye LLC indicate that you are apparently routing and transmitting illegal robocall traffic knowingly. _____

The FTC, the nation’s consumer protection agency, enforces the Federal Trade Commission Act (FTC Act), 15 U.S.C. § 45 et seq., which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the Telemarketing Sales Rule (TSR), 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing practices. Section 310.3(b) of the TSR prohibits “assisting and facilitating” certain specified conduct.³ Under that provision, it is unlawful for any person or entity to “provide substantial assistance or support to any seller or telemarketer when that person knows or consciously avoids knowing that the seller or telemarketer is engaged in any act or practice that violates Sections 310.3(a), (c), or (d), or Section 310.4 of this Rule.” These Sections prohibit, among others, the following conduct:

- x Making a false or misleading statement to induce any person to pay for goods or services or to induce a charitable contribution (16 C.F.R. § 310.3(a)(4));
- x Misrepresenting a seller or telemarketer’s affiliation with any government entity (16 C.F.R. § 310.3(a)(2)(vii));
- x Transmitting false or deceptive caller ID numbers (16 C.F.R. § 310.4(a)(8));
- x Initiating or causing the initiation of calls that deliver prerecorded messages,⁴ unless the person called provided the seller express written permission to call (16 C.F.R. § 310.4(b)(1)(v)); and
- x Initiating or causing the initiation of telemarketing calls to numbers listed on the National Do Not Call Registry, unless the person called provided express written permission to receive calls from the seller or the seller had an existing business relationship with the person called (16 C.F.R. § 310.4(b)(1)(iii)(B)).

The FTC can obtain civil penalties for TSR violations. Each illegal call is subject to a maximum civil penalty of \$46,517. *See* 16 C.F.R. § 1.98. In addition, a violation of the TSR is a violation of Section 5 of the FTC Act. *See* 15 U.S.C. §§ 6102(c), 57a(d)(3), 45(a). Accordingly, the FTC has authority to seek both preliminary and permanent injunctive relief to address TSR violations. *See* 15 U.S.C. § 53(b). The FTC may also seek the refund of money or payment of damages to address TSR violations. *See* 15 U.S.C. § 57b(b).

Combatting illegal telemarketing is a top priority for the FTC, with a special emphasis on halting illegal robocalls.⁵ We want you to be aware that the FTC has, for example, brought


³ A copy of the TSR is attached as Attachment B.

⁴ These calls are often referred to as “robocalls.”

⁵ In fiscal year 2021, the FTC received more than 5 million complaints about unwanted calls, including more than 3.42 million robocall complaints. The FTC maintains an interactive Tableau Public web page that publishes details about do not call complaints on a quarterly basis. *See* <https://public.tableau.com/profile/federal.trade.commission#!/vizhome/DoNotCallComplaints/Maps>.

Within three business days, please send a message to FTC attorney Fil Maria de Banate, via electronic mail at fdebanate@ftc.gov, certifying that One Eye LLC 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,

A handwritten signature in blue ink, appearing to read "Jon Miller Steiger", is written over a horizontal line.

Jon 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

ATTACHMENT A

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

5/20/2022	5/18/2022	2178936363	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/864700	16 C.F.R. § 310.4(b)(1)(v)
5/20/2022	5/17/2022	2154818770	Authorized-Order	https://portal.tracebacks.org/api/public/attachments/864696	16 C.F.R. § 310.4(b)(1)(v)
5/16/2022	5/9/2022	6092683121	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/848914	16 C.F.R. § 310.4(b)(1)(v)
5/16/2022	5/9/2022	2488510928	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/848900	16 C.F.R. § 310.4(b)(1)(v)
4/26/2022	4/25/2022	3096947221	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/823641	16 C.F.R. § 310.4(b)(1)(v)
4/22/2022	4/20/2022	4042895109	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/819752	16 C.F.R. § 310.4(b)(1)(v)
4/22/2022	4/20/2022	3374392190	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/819751	16 C.F.R. § 310.4(b)(1)(v)
4/22/2022	4/20/2022	9037811845	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/819750	16 C.F.R. § 310.4(b)(1)(v)
4/4/2022	3/29/2022	3012080378	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/792353	16 C.F.R. § 310.4(b)(1)(v)
4/1/2022	3/30/2022	2073648869	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/792366	16 C.F.R. § 310.4(b)(1)(v)
3/8/2022	3/4/2022	7272643135	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/739597	16 C.F.R. § 310.4(b)(1)(v)
3/8/2022	3/4/2022	6154134637	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/739593	16 C.F.R. § 310.4(b)(1)(v)
3/8/2022	3/4/2022	4234810426	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/attachments/739591	16 C.F.R. § 310.4(b)(1)(v)
2/22/2022	2/18/2022	3322305965	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/707388	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2097572290	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668392	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2232999169	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668391	16 C.F.R. § 310.4(b)(1)(v)

2/4/2022	2/1/2022	9088444198	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668386	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	4062158143	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668384	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2172831341	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668383	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2232999147	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668378	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	7197155182	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668377	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	2/1/2022	2626378597	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668376	16 C.F.R. § 310.4(b)(1)(v)
2/4/2022	1/31/2022	2626971387	Amazon-UnathorizedCharge	https://portal.tracebacks.org/api/public/attachments/668375	16 C.F.R. § 310.4(b)(1)(v)
2/2/2022	1/29/2022	2764450519	Amazon-SuspiciousCharge	https://portal.tracebacks.org/api/public/attachments/660873	16 C.F.R. § 310.4(b)(1)(v)
2/1/2022	1/29/2022	2678330484	Amazon-SuspiciousCharge	https://portal.tracebacks.org/api/public/attachments/660875	16 C.F.R. § 310.4(b)(1)(v)
1/31/2022	1/29/2022	3093063307	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/658486	16 C.F.R. § 310.4(b)(1)(v)
1/31/2022	1/29/2022	4698131592	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/658474	16 C.F.R. § 310.4(b)(1)(v)
1/31/2022	1/29/2022	3312404139	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/658461	16 C.F.R. § 310.4(b)(1)(v)
1/31/2022	1/29/2022	4435085738	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/658456	16 C.F.R. § 310.4(b)(1)(v)
1/27/2022	1/26/2022	4707809083	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/651838	16 C.F.R. § 310.4(b)(1)(v)
1/27/2022	1/25/2022	3866039964	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/651816	16 C.F.R. § 310.4(b)(1)(v)
1/14/2022	1/13/2022	3312489933	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/635470	16 C.F.R. § 310.4(b)(1)(v)

1/10/2022	1/4/2022	3219889568	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/624207	16 C.F.R. § 310.4(b)(1)(v)
12/13/2021	12/9/2021	4702967990	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/591033	16 C.F.R. § 310.4(b)(1)(v)
11/19/2021	11/16/2021	2402190989	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/attachments/565733	16 C.F.R. § 310.4(b)(1)(v)