

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION**

STATE OF INDIANA,

Plaintiff,

v.

STARTEL COMMUNICATION LLC; WANDA
M. HALL, individually; ABHIJIT CHOWDHURY,
individually; PIRATEL LLC; and RAPID EAGLE
INC. DBA VOIP ESSENTIAL INC.

Defendants.

CASE NO.

DEMAND FOR JURY TRIAL

**PLAINTIFF’S COMPLAINT FOR CIVIL PENALTIES, PERMANENT
INJUNCTION, OTHER EQUITABLE RELIEF, AND DEMAND FOR JURY TRIAL**

Plaintiff, the State of Indiana, by and through its Attorney General Todd Rokita (“Plaintiff”), files this Complaint pursuant to statutes as set forth below against STARTEL COMMUNICATION LLC; WANDA M. HALL, individually; ABHIJIT CHOWDHURY, individually; PIRATEL LLC; and RAPID EAGLE INC. DBA VOIP ESSENTIAL INC., and alleges:

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1337(a), 1355; the Telemarketing and Consumer Fraud and Abuse Prevention Act (“Telemarketing Act”), 15 U.S.C. § 6103(e), and the Telemarketing Sales Rule (“TSR”), 16 C.F.R. § Part 310; the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. §

227(g)(2); and the Court has pendant jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367.

2. Venue is proper in this District under 28 U.S.C. §§ 1391(b), 1395(a), 47 U.S.C. § 227(g)(4), and 15 U.S.C. § 6103(e). A substantial part of the events or omissions giving rise to the claims alleged in this Complaint occurred in this District.
3. Plaintiff notified the Federal Communications Commission (“FCC”) of this civil action, pursuant to 47 U.S.C. § 227(g)(3).
4. Plaintiff notified the Federal Trade Commission (“FTC”) of this civil action, pursuant to 15 U.S.C. § 6103(b).

PLAINTIFF

5. Plaintiff, by its undersigned counsel, is authorized by 15 U.S.C. § 6103(a) to file actions in federal district court to enjoin violations of and enforce compliance with the TSR on behalf of the residents of the State of Indiana, and to obtain damages, restitution, or other compensation. Plaintiff, by its undersigned counsel, is authorized by 47 U.S.C. § 227(g)(1) to file actions in federal district court to enjoin violations of and enforce compliance with the TCPA on behalf of residents of the State of Indiana, and to obtain actual damages or damages of five hundred dollars (\$500) for each violation, and up to treble that amount for each violation committed willfully and knowingly. Plaintiff, by its undersigned counsel, is also authorized by Ind. Code § 4-6-3-2 to bring enforcement actions to enjoin violations of and enforce compliance with the Indiana Telephone Solicitation of Consumers Act, Ind. Code 24-4.7, the Indiana Regulation of Automatic Machines Dialing Act, Ind. Code 24-5-14, the False or Misleading Caller Identification law, Ind. Code § 24-5-14.5-9, and seek

orders to enjoin violations and for civil penalties, reimbursement of costs, and other relief as allowed by law.

DEFENDANTS

6. Defendant Startel Communication LLC (“Startel”) was a limited liability company formed on March 2, 2018 under the laws of the State of Indiana, with its principal place of business in Evansville, Indiana.
7. On September 8, 2021, Startel filed Articles of Dissolution with the Indiana Secretary of State.
8. Startel transacted business in the Southern District of Indiana.
9. Defendant Wanda M. Hall (“Hall”) is an individual residing in the Southern District of Indiana.
10. Hall transacted business in the Southern District of Indiana.
11. Defendant Abhijit Chowdhury (“Chowdhury”) is an individual residing in India.
12. Upon information and belief, Chowdhury travels between Kolkata, West Bengal, India and Evansville, Indiana.
13. Chowdhury transacted business in the Southern District of Indiana.
14. Defendant Rapid Eagle Inc., dba VoIP Essential Inc. (“VoIP Essential”) is a corporation formed on November 14, 2005 under the laws of the State of California.
15. VoIP Essential’s address is 39510 Paseo Padre Parkway, Suite 360, Fremont, CA 94538.
16. VoIP Essential transacts or has transacted business in the Southern District of Indiana.
17. Defendant Piratel LLC (“Piratel”) is a limited liability company formed under the laws of the State of Delaware.
18. Piratel is registered as a foreign LLC with the California Secretary of State.

19. Piratel registered with the California Secretary of State on July 16, 2012.
20. Piratel's address is 10572 Calle Lee Suite 123, Los Alamitos, CA 90720.
21. Piratel transacts or has transacted business in the Southern District of Indiana.

SUMMARY OF ALLEGATIONS

22. Startel, Hall, and Chowdhury operated a Voice over Internet Protocol ("VoIP") business that provided substantial assistance to foreign robocallers.
23. These robocallers made millions of illegal calls to Indiana residents, many of whom were on Indiana's Do Not Call List and/or the Federal Do Not Call List.
24. Startel, Hall, and Chowdhury knew or consciously avoided knowing these calls were illegal.
25. Further, upon information and belief, Startel, Hall, and Chowdhury initiated several of the calls, or engaged a third-party to initiate several of the calls.
26. Many of the alleged calls were for scams, including but not limited to, a computer support scam, an Amazon subscription scam, a Social Security Administration imposter scam, and several Covid-19 related scams.
27. Many of the alleged calls were made by using an automated dialing-announcing device, as defined by Ind. Code § 24-5-14-1.
28. These alleged calls are known colloquially as "robocalls."
29. Many of the alleged robocalls played a prerecorded message.
30. Many of the alleged robocalls were sent without the recipient's consent.
31. Many of the prerecorded messages were not preceded by a live operator who could have obtained each recipient's consent before the message was delivered.
32. Many of the alleged robocalls portrayed themselves to be legitimate businesses and/or entities, when the callers were not actually those legitimate businesses and/or entities.

33. Many of these alleged robocalls were made by telemarketers or sellers, as defined by the TSR.
34. Thus, these alleged telemarketers or sellers are robocallers. Throughout this Complaint, robocaller will be synonymous with telemarketer or seller.
35. Startel, Hall, and Chowdhury violated the TSR by initiating, causing to be initiated, or assisting and facilitating in the initiation of over 4,885,113 robocalls to phone numbers with Indiana area codes.
36. Startel, Hall, and Chowdhury provided substantial assistance the robocallers, despite multiple warnings from third-parties about the illegal calls.
37. Startel, Hall, and Chowdhury knew or consciously avoided knowing these calls were illegal.
38. Upon information and belief, Startel, Hall, and Chowdhury violated the TCPA for the calls they made or caused to be made to phone numbers with an Indiana area code.
39. Startel, Hall, and Chowdhury violated various Indiana statutes for making or assisting and facilitating in the making of over 4,885,113 robocalls to phone numbers with an Indiana area code.
40. Startel, Hall, and Chowdhury initiated, caused to be initiated, and/or assisted and facilitated in the initiation of calls to 782,941 Hoosier telephone numbers on the Federal Do Not Call List.
41. Startel, Hall, and Chowdhury initiated, caused to be initiated, and/or assisted and facilitated in the initiation of calls to 605,159 Hoosier telephone numbers on the Indiana Do Not Call List.
42. Spoofing is the display of numbers or other information on a Caller ID that the calling party does not have the right to transmit.

43. Startel, Hall, and Chowdhury initiated, caused to be initiated, and/or assisted and facilitated in the initiation of telephone calls that spoofed the Caller ID.
44. Upon information and belief, some of these spoofed telephone numbers called telephone numbers with Indiana area codes.
45. Piratel operates a VoIP business that provided substantial assistance to foreign robocallers.
46. Piratel knew or consciously avoided knowing these calls were illegal.
47. Piratel provided substantial assistance to Startel, Hall, Chowdhury, and the robocallers, despite multiple warnings from third-parties about the illegal calls and multiple warnings issued to Startel, Hall, and Chowdhury about the transmission of illegal calls.
48. Despite all these warnings, Piratel continued to accept Startel, Hall, and Chowdhury's money to route illegal robocall traffic.
49. Most of the money paid to Piratel was likely the result of illegal conduct.
50. Piratel violated the TSR by assisting and facilitating in the making of 3,144,374 robocalls to phone numbers with an Indiana area code.
51. Piratel violated various Indiana statutes for assisting and facilitating in the making of 3,144,374 robocalls to phone numbers with an Indiana area code.
52. Piratel assisted and facilitated in the calling of 388,247 Hoosier telephone numbers on the Federal Do Not Call List.
53. Piratel assisted and facilitated in the calling of 291,037 Hoosier telephone numbers on the Indiana Do Not Call List.
54. Many of these Hoosiers on the Indiana Do Not Call List and/or Federal Do Not Call list were called more than once.
55. Piratel assisted and facilitated in the initiation of telephone calls that spoofed the Caller ID.

56. Upon information and belief, some of these spoofed telephone numbers called telephone numbers with Indiana area codes.
57. Further, VoIP Essential operates a VoIP business that provided substantial assistance to foreign robocallers.
58. VoIP Essential provided substantial assistance to Startel, Hall, and Chowdhury and the robocallers, despite multiple warnings from third-parties about the illegal calls and multiple warnings issued to Startel, Hall, and Chowdhury about the transmission of illegal calls.
59. VoIP Essential knew or consciously avoided knowing these calls were illegal.
60. Despite all these warnings, VoIP Essential continued to accept Startel, Hall, and Chowdhury's money to route illegal robocall traffic.
61. The money paid to VoIP Essential was likely the result of illegal conduct.
62. VoIP Essential violated the TSR by assisting and facilitating in the making of over 1,288,038 robocalls to phone numbers with an Indiana area code.
63. VoIP Essential violated various Indiana statutes for assisting and facilitating in the making of over 1,288,038 robocalls to phone numbers with an Indiana area code.
64. VoIP Essential assisted and facilitated in the calling of 424,157 Hoosier telephone numbers on the Federal Do Not Call List.
65. VoIP Essential assisted and facilitated in the calling of 402,824 Hoosier telephone numbers on the Indiana Do Not Call List.
66. Many of these Hoosiers on the Indiana Do Not Call List and/or Federal Do Not Call list were called more than once.
67. VoIP Essential assisted and facilitated in the initiation of telephone calls that spoofed the Caller ID.

68. Upon information and belief, some of these spoofed telephone numbers called telephone numbers with Indiana area codes.

THE TELEMARKETING SALES RULE

69. The Telemarketing Act was enacted in 1994, and as part of the enactment, Congress found that “[c]onsumers and others are estimated to lose \$40 billion a year in telemarketing fraud,” and “[c]onsumers are victimized by other forms of telemarketing deception and abuse.” 15 U.S.C. § 6101(3) and (4).

70. The act requires the FTC to:

include in such rules respecting deceptive telemarketing acts or practices a definition of deceptive telemarketing acts or practices which shall include fraudulent charitable solicitations, and which may include acts or practices of entities or individuals that assist or facilitate deceptive telemarketing.... (3) The Commission shall include in such rules respecting other abusive telemarketing acts or practices-- (A) a requirement that telemarketers may not undertake a pattern of unsolicited telephone calls which the reasonable consumer would consider coercive or abusive of such consumer's right to privacy.

15 U.S.C. § 6102(a)(2) and (a)(3)(A).

71. In 1995, the FTC promulgated rules pursuant to the Telemarketing Act, naming it the Telemarketing Sales Rule (“TSR”).
72. On December of 2015, the FTC amended its rules and promulgated new rules pursuant to the Telemarketing Act.
73. Pursuant to 15 U.S.C. § 6103(a), the Plaintiff States are able to enforce the TSR.
74. The 2003 amendments to the TSR established the National Do Not Call Registry, maintained by the FTC, of consumers who do not wish to receive certain types of telemarketing calls. Consumers can register their telephone numbers on the Registry without charge either through a toll-free telephone call or over the Internet at www.donotcall.gov.

75. Consumers who receive telemarketing calls to their registered numbers can complain of Registry violations the same way they registered, through a toll-free telephone call or over the Internet at donotcall.gov, or by otherwise contacting law enforcement authorities.
76. The FTC allows sellers, telemarketers, and other permitted organizations to access the Registry over the Internet at www.telemarketing.donotcall.gov, to pay any required fee(s), and to download the numbers not to call.
77. For purposes of the TSR, a "seller" is any person who, in connection with a telemarketing transaction, provides, offers to provide, or arranges for others to provide goods or services to a customer in exchange for consideration. 16 C.F.R. § 310.2(dd). A "telemarketer" means any person who, in connection with telemarketing, initiates or receives telephone calls to or from a customer or donor. 16 C.F.R. § 310.2(ff).
78. "Telemarketing" means a plan, program, or campaign which is conducted to induce the purchase of goods or services or a charitable contribution, by use of one or more telephones and which involves more than one interstate telephone call. 16 C.F.R. § 310.2(gg).
79. Under the TSR, an "outbound telephone call" is a telephone call initiated by a telemarketer to induce the purchase of goods or services or to solicit a charitable contribution. 16 C.F.R. § 310.2(x).
80. The TSR prohibits sellers and telemarketers from initiating an outbound telephone call to telephone numbers on the Federal Do Not Call Registry. 16 C.F.R. § 310.4(b)(1)(iii)(B).
81. The TSR also prohibits sellers and telemarketers from initiating an outbound telephone call to any person when that person previously has stated that he or she does not wish to receive an outbound telephone call made by or on behalf of the seller whose goods or services are being offered. 16 C.F.R. § 310.4(b)(1)(iii)(A).

82. The TSR prohibits initiating a telephone call that delivers a prerecorded message to induce the purchase of any good or service unless the seller has obtained from the recipient of the call an express agreement, in writing, that evidences the willingness of the recipient of the call to receive calls that deliver prerecorded messages by or on behalf of a specific seller. 16 C.F.R. § 310.4(b)(1)(v)(A).
83. The TSR also requires that sellers and telemarketers transmit or cause to be transmitted the telephone number of the telemarketer and, when made available by the telemarketer's carrier, the name of the telemarketer, to any caller identification service in use by a recipient of a telemarketing call, or transmit the customer service number of the seller on whose behalf the call is made and, when made available by the telemarketer's carrier, the name of the seller. 16 C.F.R. § 310.4(a)(8).
84. The TSR requires telemarketers to disclose the identity of the seller truthfully, promptly, and in a clear and conspicuous manner to the person receiving the call. 16 C.F.R. § 310.4(d)(1).
85. The TSR provides that it is a deceptive telemarketing act or practice when “[m]isrepresenting, directly or by implication, in the sale of goods or services any of the following material information:” “[a]ny material aspect of the performance, efficacy, nature, or central characteristics of goods or services that are the subject of a sales offer.” 16 C.F.R. § 310.3(a)(2)(iii).
86. The TSR makes it a deceptive telemarketing act or practice when “[m]aking a false or misleading statement to induce any person to pay for goods or services...” 16 C.F.R. § 310.3(a)(4).
87. The TSR makes it an abusive telemarketing act or practice to “fail to honor” a call receiver's request to be placed on a do not call list. 16 C.F.R. § 310.4(b)(1)(ii).

88. “It is a deceptive telemarketing act or practice and a violation of this Rule for a person to provide substantial assistance or support to any seller or telemarketer when that person knows or consciously avoids knowing that the seller or telemarketer is engaged in any act or practice that violates §§ 310.3(a), (c) or (d), or § 310.4 of this Rule.” 16 C.F.R. § 310.3(a)(4).

89. The Telemarketing Act further provides, in part:

Whenever an attorney general of any State has reason to believe that the interests of the residents of that State have been or are being threatened or adversely affected because any person has engaged or is engaging in a pattern or practice of telemarketing which violates any rule of the Commission under section 6102 of this title, the State, as *parens patriae*, may bring a civil action on behalf of its residents in an appropriate district court of the United States to enjoin such telemarketing, to enforce compliance with such rule of the Commission, to obtain damages, restitution, or other compensation on behalf of residents of such State, or to obtain such further and other relief as the court may deem appropriate.

15 U.S.C. § 6103(a).

90. Pursuant to Section 3(c) of the Telemarketing Act, 15 U.S.C. § 6102(c), and Section 18(d)(3) of the FTC Act, 15 U.S.C. § 57a(d)(3), a violation of the TSR constitutes an unfair or deceptive act or practice in or affecting commerce, in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

THE TELEPHONE CONSUMER PROTECTION ACT

91. The TCPA, enacted in 1991, amended the Communications Act of 1934 by adding 47 U.S.C. § 227, which requires the FCC to

... initiate a rulemaking proceeding concerning the need to protect residential telephone subscribers’ privacy rights to avoid receiving telephone solicitations to which they object. . . . The regulations required by [the TCPA] may require the establishment and operation of a single national database to compile a list of telephone numbers of residential subscribers who object to receiving telephone solicitations, and to make that compiled list and part thereof available for purchase. If the Commission determines to

require such a database, such regulations shall- ... (F) prohibit any person from making or transmitting a telephone solicitation to the telephone number of any subscriber included in such database

47 U.S.C. § 227(c)(1) and (c)(3).

92. In 1992, the FCC promulgated rules pursuant to the TCPA.
93. On June 26, 2003, the FCC revised its rules and promulgated new rules pursuant to the TCPA. These new rules established a “do not call” registry (the “National Do Not Call Registry” or “Registry”) of consumers who do not wish to receive certain types of telemarketing calls. Consumers can register their telephone numbers on the Registry without charge either through a toll-free telephone call or over the Internet at www.donotcall.gov.
94. Sellers, telemarketers, and other permitted organizations can access the Registry over the Internet at telemarketing.donotcall.gov to download the registered numbers.
95. A relevant FCC Do Not Call Rule, 47 C.F.R. § 64.1200(c), provides in part: “(c) No person or entity shall initiate any telephone solicitation [as defined in paragraph (f)(14) of this section] to ... (2) A residential telephone subscriber who has registered his or her telephone number on the national do-not-call registry of persons who do not wish to receive telephone solicitations that is maintained by the Federal Government.”
96. The TCPA itself and another relevant FCC Rule, 47 U.S.C. § 227(a)(4) and 47 C.F.R. § 64.1200(f)(14), respectively, provide in part: “The term telephone solicitation means the initiation of a telephone call or message for the purpose of encouraging the purchase or rental of, or investment in, property, goods, or services, which is transmitted to any person ...”

97. The TCPA itself and another relevant FCC Rule, 47 U.S.C. § 227(b)(1)(B) and 47 C.F.R. § 64.1200(a)(3), respectively, provide that it is unlawful for a person to: “Initiate any telephone call to any residential telephone line using an artificial or prerecorded voice to deliver a message without the prior express consent of the called party unless the call ... [is specifically exempted by rule or order].”
98. The TCPA, 47 U.S.C. § 227(b)(1)(A)(iii), makes it unlawful for any person to: “make any call (other than a call made for emergency purposes or made with the prior express consent of the called party) using... an artificial or prerecorded voice... to any telephone number assigned to a... cellular telephone service...” Relevant FCC Rule 47 C.F.R. § 64.1200(a)(1)(iii) similarly prohibits persons from initiating calls to a cellular telephone using an artificial or prerecorded voice without the prior express consent of the called party. Relevant FCC Rule C.F.R. § 64.1200(a)(2) further prohibits persons from initiating or causing to be initiated calls that include or introduce an advertisement or constitute telemarketing to cellular telephones using an artificial or prerecorded voice without the prior express written consent of the called party.
99. The TCPA, 47 U.S.C. § 227(d)(3)(A) and FCC Rule, 47 C.F.R. § 64.1200(b)(1), provide in part that “all artificial or prerecorded voice telephone messages shall... at the beginning of the message, state clearly, the identity of the business, individual, or other entity that is responsible for initiating the call. If a business is responsible for initiating the call, the name under which the entity is registered to conduct business with the State Corporation Commission (or comparable regulatory authority) must be stated.”
100. The TCPA itself and another relevant FCC Rule, 47 U.S.C. § 227(e)(1) and 47 C.F.R. § 64.1604(a), respectively, provide that it is unlawful for a person “with the intent to defraud,

cause harm, or wrongfully obtain anything of value” to cause any caller identification service to transmit or display “misleading or inaccurate caller identification information.”

101. The TCPA further provides in part:

Whenever the attorney general of a State, or an official or agency designated by a State, has reason to believe that any person has engaged or is engaging in a pattern or practice of telephone calls or other transmissions to residents of that State in violation of this section or the regulations prescribed under this section, the State may bring a civil action on behalf of its residents to enjoin such calls, an action to recover for actual monetary loss or receive \$500 in damages for each violation, or both such actions. If the court finds the defendant willfully or knowingly violated such regulations, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under the preceding sentence.

47 U.S.C. § 227(g)(1).

102. This Court, in the exercise of its equitable jurisdiction, may award other ancillary relief to remedy injuries caused by Defendants’ violations of the TCPA.

COMMERCE

103. At all times material to this Complaint, all Defendants have maintained substantial course of trade in or affecting commerce, as “commerce” is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

DEFENDANTS STARTEL, HALL, AND CHOWDHURY’S ILLEGAL ROBOCALLING BUSINESS

Overview of Startel, Hall, and Chowdhury’s Business Practices

104. Initially, Startel substantially assisted the robocallers in at least three ways: (1) providing foreign robocallers access to the United States market; (2) providing robocallers with a platform that allowed for immediate calling access, without any due diligence; and (3)

providing cover for the robocallers for regulators in the United States.

105. Startel knew or consciously avoided knowing that the robocalls were violating the TSR and Indiana state law. Startel was notified on many occasions that they and the robocallers were not complying with the law, including by Piratel and VoIP Essential. Startel also had access to the robocallers' call detail records. A reasonable investigation into the call detail records would have revealed the call traffic was illegal.
106. Startel, Hall, and Chowdhury were in the business of robocalling and/or helping others make robocalls.
107. Startel, Hall, and Chowdhury initiated calls or assisted and facilitated in the initiation of calls to residential and/or cellular lines using artificial or prerecorded voices to deliver messages without prior express consent of the recipient.
108. Startel, Hall, and Chowdhury all actively participated in the initiation of or assisted and facilitated in the initiation of illegal robocalls. Thus, all are jointly and severally liable for the illegal conduct.
109. Startel, Hall, and Chowdhury initiated, caused to be initiated, and/or assisted and facilitated in the initiation of telephone calls that spoofed the Caller ID.
110. Upon information and belief, some of these spoofed telephone numbers called telephone numbers with Indiana area codes.
111. Spoofing is the display of numbers on a Caller ID that the calling party does not have the right to send.
112. Startel is registered with the FCC as a provider of interconnected Voice over Internet Protocol ("VoIP") telecommunications services. As an interconnected VoIP service provider, Startel provides information services pursuant 47 U.S.C. § 153 of the

Communications Act of 1934, as amended.

113. As a VoIP provider, Startel routed telephone calls through the Internet.
114. Specifically, Startel was a point of entry for the United States market. Foreign callers routed their calls through Startel's system so that they can bombard Hoosiers with scam robocalls.
115. Without Startel's support, these foreign robocallers would not have been able to use telephone numbers beginning with a +1 to directly contact Hoosiers.
116. These robocallers must engage a point of entry provider to route +1 calls into the United States.
117. In turn, the point of entry providers must engage other VoIP providers to route the calls within the United States.
118. Thus, the robocallers needed Startel to be the point of entry into the United States. Then, the robocallers needed Piratel and VoIP Essential to route the traffic within the United States. Startel, Piratel, and VoIP Essential were essential players in how a robocall went from a foreign caller to a Hoosier's cell phone or landline.
119. Startel, Hall, and Chowdhury knew or consciously avoided knowing they were routing illegal robocall traffic.
120. Piratel knew or consciously avoided knowing they were routing illegal robocall traffic.
121. VoIP Essential knew or consciously avoided knowing they were routing illegal robocall traffic.
122. Hall and Chowdhury created Startel to be an entry point so that Startel could route millions of robocalls from overseas into the United States.
123. Upon information and belief, Hall and Chowdhury also created Startel to initiate or cause to be initiated robocalls to Americans.

124. In 2020 and 2021, Startel, Hall, and Chowdhury routed tens of millions of robocalls to people all throughout the United States.
125. In 2020 and 2021, upon information and belief, Startel, Hall, and Chowdhury initiated or caused to be initiated robocalls to people all throughout the United States.
126. Startel was not a legitimate business.
127. Startel was headquartered in Indiana. Chowdhury, however, remotely managed Startel from India, with Hall's help.
128. Startel, Hall, and Chowdhury initiated or caused to be initiated, or assisted and facilitated in the calling of over 4,885,113 phone numbers with an Indiana area code.
129. Upon information and belief, Startel, Hall, and Chowdhury Startel initiated the robocalls or caused the robocalls to be initiated.
130. Startel, Hall, and Chowdhury initiated, caused to be initiated, and/or assisted and facilitated in the initiation of calls to 782,941 Hoosier telephone numbers on the Federal Do Not Call List.
131. Startel, Hall, and Chowdhury initiated, caused to be initiated, and/or the assisted and facilitated in the initiation of calls to 605,159 Hoosier telephone numbers on the Indiana Do Not Call List.
132. On March 2, 2018, Hall organized Startel as a Domestic Limited Liability Company under Indiana state law.
133. The filing stated the LLC was a single member LLC, and it listed Hall as the President of the LLC.
134. Hall electronically signed the filing.
135. On March 16, 2020, Hall filed a Change of Officer form.

136. The filing changed Hall's title to Member, and it added Chowdhury as the CEO.
137. Chowdhury's listed address was A.K 4 Sector 2 Salt Lake, Kolkata, West Bengal, 700091, India.
138. Hall electronically signed the filing.
139. On March 16, 2020, Hall filed a Change of Officer form.
140. The filing changed Hall's title to President, and it changed Chowdhury's address to P4 New Howrah Bridge Approach Road, Kolkata West Bengal, 70000, India.
141. Hall electronically signed the filing.
142. On June 2, 2020, Hall filed a Change of Officer form.
143. The filing removed Hall as a principal, and it changed Chowdhury's address to A.K 4 Sector 2 Salt Lake, Kolkata, West Bengal, 700091, India.
144. This filing was made from an Android mobile device, running the Android 9 operating system.
145. The device had a time zone of GMT +5:30.
146. The IP Address used by the device was 49.37.3.164.
147. The IP Address was associated with Gurgaon, Haryana, India.
148. Hall electronically signed the filing.
149. On July 8, 2020 at 1:45 AM Eastern, Hall filed a Change of Officer form.
150. The filing added Hall as Chairman, and it changed Chowdhury's address to 2911 South Saint James, Evansville, IN 47714.
151. This address was used by both Startel and Hall.
152. The filing was made from a Windows device, using the Windows 10 operating system.
153. The device had a time zone of GMT+5:30.

154. The IP Address used by the device was 49.37.5.216.
155. The IP Address was associated with Kolkata, West Bengal, India.
156. Hall electronically signed the filing.
157. On July 8, 2020 at 7:48 AM Eastern, Hall filed a Change of Officer form.
158. The filing added Hall as a registered agent, with an address of 2911 South Saint James, Evansville, IN 47714.
159. The same Kolkata device and IP Address made this filing.
160. Hall electronically signed the filing.
161. On August 16, 2021 at 8:14 AM Eastern, Hall filed a Change of Registered Agent form.
162. Hall's registered agent information was changed to be an address of 1150 S. Bedford Ave., Evansville, IN 47713.
163. Hall electronically signed the filing.
164. On August 16, 2021 at 6:38 PM Eastern, Hall filed a Change of Officer form.
165. Hall's member information was changed to be an address of 1150 S. Bedford Ave., Evansville, IN 47713.
166. Hall electronically signed the filing.
167. On August 16, 2021 at 7:43 PM Eastern, Hall filed a Change of Principal Office Address form.
168. The corporate address was changed to 5625 German Church Rd., #3219, Indianapolis, IN, 46235.
169. Upon information and belief, this address is a private mailbox at Purple Ribbon Office Solutions.
170. Hall electronically signed the filing.

171. The three August 16, 2021 filings were made from a Windows device, using the Windows NT 6.1 operating system.
172. The device time zone was GMT-6:00.
173. The IP Address used by the device was 74.133.72.87.
174. The IP Address was associated with Evansville, Indiana.
175. On September 8, 2021 at 5:02 AM Eastern, Hall filed Articles of Dissolution.
176. Hall electronically signed the document.
177. The filing was made from an Android mobile device, using the Android 10 operating system.
178. The device time zone was GMT +5:30.
179. The IP Address used by the device was 157.40.108.50.
180. The IP Address was associated with Navi Mumbai, Maharashtra, India.
181. Startel submitted Form 499 with the FCC, under ID Number 833601.¹
182. Startel submitted their principal communication type as Interconnected VoIP.
183. Startel's headquarters is listed as 5625 German Church Road, #3219, Indianapolis, IN 46235.
184. Startel's customer inquiries address is listed as 2911 South Saint James Boulevard., Evansville, IN.
185. Chowdhury is listed as the CEO. Hall is listed as a Chairman or Other Senior Officer.
186. On the Form, Startel claimed to provide service in Indiana.
187. As of this filing, Chowdhury is the CEO of Startel.
188. As of this filing, Hall is the Chairman of Startel.
189. Startel advertises its services on the website: <https://www.startelcommunication.com/>.

¹ *FCC Form 499 Filer Database*, FCC, <https://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=833601> (last visited Oct. 12, 2021).

190. Specifically, Startel advertises:

- Our technology ensures best LCR, QoS & reporting system to make wholesale voice a successful and profitable business for our clients and ourselves.
- We offer A - Z termination for all destinations, but specialize in termination to India, Pakistan, Bangladesh, Nepal, Philippines, Sri Lanka and UAE.
- Platinum routes: with 100% CLI assurance suitable for tier 1 operators catering to end users and enterprise customers.
- Gold routes: highly suitable for Calling card and
- Silver routes: suitable for price sensitive customers²

191. Under *Reseller Services*, Startel advertises they “offer a complete Prepaid wholesale voice termination solution to our Reseller partners. Our platform allows them to do away with unnecessary credit checks and endless forms, providing them immediate access to a full service portal and routes to terminate their wholesale traffic without wasting any time.”³

192. Under *VoIP Services*, Startel advertises these services:

- Outbound Services: specialised routes for USA, Canada, United Kingdom, Australia, Singapore, China, India etc. (Sic)
- Inbound Services for USA, Canada, UK, Australia, Mexico, Brazil and many other countries
- International DID numbers with on fixed monthly cost with unlimited incoming minutes OR per minute metered basis.
- Toll free numbers with unlimited channels on per minute metered basis.
- A - Z termination
- Complete hosted or premise based Predictive Dialer solutions
- Managed IT services⁴

193. Further, Startel’s *About Us* states:

Startel communication is a Usa registered premium Voice/ VoIP service provider, offering best-in- class and affordable custom made solutions to its customers.

Having partnered with some of the largest and niche carriers around the world, we offer our customers the best pricing and quality for all our offered services.

² *Wholesale Voice Services*, Startel Communication, <https://www.startelcommunication.com/wholesale/index.html> (last visited Oct. 12, 2021).

³ *Reseller Services*, Startel Communication, <https://www.startelcommunication.com/reseller/index.html> (last visited Oct. 12, 2021).

⁴ *VOIP Services*, Startel Communication, <https://www.startelcommunication.com/voip/index.html> (last visited Oct. 12, 2021).

Startel communication operates VoIP and TDM networks that deliver high quality and cost effective services to our customers and suppliers across the globe.

Our operations and customer support staff ensure that your service is efficiently monitored and maintained.

We have many years of experience in providing calling routes to select destinations and other comprehensive solutions to our Call Center customers. All our services backed up by 24 x 7 NOC team providing prompt and customer friendly support.⁵

194. On July 26, 2018, Chowdhury created the website through Domain by Proxy.
195. As part of his customer account, Chowdhury provided Domain by Proxy this information:

Company: Startel Communications (sic).
Address: A.K. 4 Sector 2 Salt Lake, Kolkata, West Bengal 700091 India.
Phone: +91.7003646849.
Email: starvoip@cyberservices.com.
196. On April 19, 2018, Startel, through PayPal, attempted to buy “USA Seniors consumer leads 3 million” from Marketing Lists USA. The charge was reversed.
197. On May 11, 2018, Startel, through PayPal, attempted to buy “USA Mobile Database 3,000,000” from MD KHAN. The transaction was originally denied and then reversed.
198. On December 4, 2020, Hall signed a Business Signature with Substitute Form W-9 to receive a payment card from Bank of America for an account ending in 1242.
199. In two different title sections of the form, Hall wrote that she was the CEO for Startel.
200. In February of 2021, Startel began receiving payments to a Bank of America account ending in 1242.
201. From February to May 2021, Startel was paid by different entities and individuals, including but not limited to, Muzzammil Ahmed, Shashank Singh, Arup Dey, Binay Kumar Shar, TLC

⁵ *About Us*, Startel Communication, <https://www.startelcommunication.com/about/index.html> (last visited Oct. 12, 2021).

Trans LLC, and Souvick Das.

Certificates of Territorial Authority

202. To be a communications service provider (“CSP”) that offers services in Indiana, a VoIP provider must have a Certificate of Territorial Authority (“CTA”).
203. A VoIP provider applies for a CTA with the Indiana Utility Regulatory Commission
204. The Indiana Utility Regulatory Commission then approves or disapproves the application.
205. Providers must receive a CTA to offer these services in Indiana: advanced services, broadband service, information services, Internet Protocol-enabled services, and/or telecommunications services.
206. On August 17, 2021, Startel applied for a CTA.
207. The filing was under Cause Number 45597.
208. Startel stated their address was 5625 German Church Rd #3219, Indianapolis, IN 46235.
209. Hall listed herself as the Chairperson, with the same address as Startel.
210. Hall electronically signed the application.
211. Further, the application included an affidavit that was electronically signed by Hall. The affidavit was notarized by a notary public in Nevada on August 16, 2021.
212. Further, Startel and Hall included Startel’s Certificate of Organization.
213. Startel’s application for a CTA was approved by the Indiana Utility Regulatory Commission on September 22, 2021.
214. On September 22, 2021, on behalf of Startel, Mark Lammert from Compliance Solutions Inc. sent a letter to Indiana Utility Regulatory Commission stating Startel was going to “begin operations in Indiana on October 1, 2021.”
215. On September 29, 2021, Compliance Solutions Inc., on a phone call, notified the Indiana

Utility Regulatory Commission that Startel had dissolved and they were relinquishing the CTA.

216. At the time of this filing, VoIP Essential has not applied for a CTA or been granted a CTA.

217. At the time of this filing, Piratel has not applied for a CTA or been granted a CTA.

Startel's Purported Clients

218. Startel stated to the United States Telecom Association the entities below were their clients.

219. Upon information and belief, the entities below were robocallers and/or telecommunications who routed robocalls.

220. Telnovo Communications, Inc. ("Telnovo") is a telecommunications company based in the Philippines. It is headquartered at Level 10-1, Fort Legend Tower, 31st St. & 3rd Avenue Bonifacio Global City, Taguig, Philippines 1632.

221. Telnovo is or was a client of Startel.

222. Upon information and belief, Startel routed Telnovo's telephone calls to Hoosiers.

223. IQ Telecom LLC ("IQ Telecom") is telecommunications company based in Delaware. It is headquartered at 40 E Main St, Suite 813, Newark, Delaware 19711.

224. As of this filing, IQ Telecom does not have a registered agent.

225. Upon information and belief, IQ Telecom operates out of India, and the Delaware entity is not a legitimate entity.

226. IQ Telecom is or was a client of Startel.

227. Upon information and belief, Startel routed IQ Telecom's telephone calls to Hoosiers.

228. Microtalk Communications ("Microtalk") is an Indian-based telecommunications company. It is headquartered at 501 Shaila Tower, J1/16, Block - EP, Sector V, Salt Lake, Kolkata 700091, India.

229. Microtalk advertises that they “connect over 40 Million calls a month” and “have local operating companies and offices and hold telecom licences (sic) in UK, USA, India and Canada.”⁶
230. Microtalk is or was a client of Startel.
231. Upon information and belief, Startel routed Microtalk’s telephone calls to Hoosiers.
232. Sunsip is a Singapore based telecommunications company. It is headquartered at 24-10 Shaw Centre 1 Scotts Rd, 228208 Singapore.
233. Sunsip is or was a client of Startel.
234. Upon information and belief, Startel routed Sunsip’s telephone calls to Hoosiers.

Traceback Requests Sent to Startel

235. In Startel’s capacity as a provider of interconnected VoIP, they received Traceback requests from and communicated with the United States Telecom Association (“USTelecom”)-led Industry Traceback Group.
236. USTelecom is a non-profit association that represents the telecommunications industry.
237. Pursuant to the TRACED Act, USTelecom established the Industry Traceback Group (“ITG”) explicitly with the duty to trace robocalls through various telecommunication networks. *See Pallone-Thune TRACED Act*, S. 151, 116th Cong., § 13(d) (2019) (“TRACED Act”).
238. The ITG is a consortium coordinating industry-led efforts to trace back the origin of suspected unlawful robocalls. A Traceback is the process of tracing a suspected illegal robocall through multiple provider networks until the originating provider or the calling party is identified. The ITG operates under the Communications Act (Section 222(d)(2)) which

⁶ *Welcome to Microtalk*, Microtalk, <http://www.microtalk.in/about-us> (last visited Oct. 12, 2021).

permits telecommunications carriers to disclose and/or permit access to Customer Proprietary Network Information (“CPNI”) if suspected fraud, abuse, or unlawful use of services exist. The ITG coordinates with federal and state law enforcement agencies.

239. Startel, Hall, and Chowdhury were aware of the ITG Traceback process.
240. Startel, Hall, and Chowdhury were also aware of the various federal and state telemarketing laws intended to protect the privacy of consumers from unwanted and harassing phone calls.
241. Despite this knowledge, Startel, Hall, and Chowdhury willfully initiated calls and/or provided substantial assistance or support in the initiation of robocalls to consumers by a seller or telemarketer that Startel, Hall, and Chowdhury knew or consciously avoided knowing was violating the TSR.
242. Piratel was aware of the ITG Traceback process.
243. Piratel was also aware of the various federal and state telemarketing laws intended to protect the privacy of consumers from unwanted and harassing phone calls.
244. Despite this knowledge, Piratel provided substantial assistance or support in the initiation of robocalls to consumers by a seller or telemarketer Piratel knew or consciously avoided knowing was violating the TSR.
245. VoIP Essential was aware of the various federal and state telemarketing laws intended to protect the privacy of consumers from unwanted and harassing phone calls.
246. Despite this knowledge, VoIP Essential provided substantial assistance or support in the initiation of robocalls to consumers by a seller or telemarketer VoIP Essential knew or consciously avoided knowing was violating the TSR.
247. In 2020 and 2021, USTelecom sent nine Traceback requests that identified Startel as either

the originating caller or the point of entry VoIP provider.

248. These Tracebacks were sent to Piratel and VoIP Innovations LLC and/or VoIPStreet Inc. (“VoIP Innovations”).

249. Piratel named Startel as the upstream provider for the illegal calls in question.

250. VoIP Innovations named Startel as the upstream provider for the illegal calls in question.

251. On or around June 25, 2020, the ITG sent Piratel Traceback # 2618 for an illegal call placed on June 25, 2020.

252. Piratel identified Startel as the party who sent the call to them.

253. On or around June 25, 2020, the ITG sent Startel Traceback # 2618.

254. The Traceback campaign stated: “Refund-CornaFraud.”

255. The ITG included an audio recording for this prerecorded message, which stated:

. . . automatically are one-hundred percent eligible for a full refund in forty-eight hours. If you want to cancel this subscription and get your refund, please press eight to connect billing officer.

256. Startel identified Microtalk Comm India as the more upstream provider.

257. Microtalk Comm India did not answer the Traceback after several attempts to contact them by the ITG.

258. On or around June 25, 2020, the ITG sent Piratel Traceback # 2619 for an illegal call placed on June 25, 2020.

259. Piratel identified Startel as the party who sent the call to them.

260. In the Traceback form, Piratel commented: “Customer FCC 499 Filer ID: 833601 <http://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=833601>”

261. On June 25, 2020, the ITG sent Startel Traceback # 2619.

262. The Traceback campaign stated: “Refund-CornaFraud.”

263. For the description of the call, the Traceback stated:

Message says due to Covid-19 we are unable to provide services, but your card has been charged 399. Press 1 to claim a refund. This call is apparent FRAUD. Also, plays artificial voice to wireless number; does not identify caller; does not include toll-free callback in voicemail message. Recording of actual call available in Traceback Portal.

264. The ITG included an audio recording for this prerecorded message, which stated:

. . . renewed automatically are one-hundred percent eligible for a full refund in forty-eight hours. If you want to cancel this subscription and get your refund, please press eight to connect billing officer.

265. Startel identified Microtalk Comm India as the more upstream provider.

266. Microtalk Comm India did not answer the Traceback after several attempts to contact them by ITG.

267. On or around July 13, 2020, the ITG sent VoIP Innovations Traceback # 2742 for an illegal call placed on July 13, 2020.

268. VoIP Innovations identified Startel as the party who sent the call to them.

269. On or around July 13, the ITG sent Startel Traceback # 2742.

270. Startel identified IQ Telecom as the more upstream provider.

271. The Traceback campaign stated: "Refund-CornaFraud."

272. For the description of the call, the Traceback stated:

Message says due to Covid-19 we are unable to provide services, but your card has been charged 399. Press 1 to claim a refund. This call is apparent FRAUD. Also, plays artificial voice to wireless number; does not identify caller; does not include toll-free callback in voicemail message. Recording of actual call available in Traceback Portal.

273. The ITG included an audio recording for this prerecorded message, which stated:

. . . renewed automatically are one-hundred percent eligible for a full refund in forty-eight hours. If you want to cancel this subscription and get your refund, please press eight to connect billing officer.

274. IQ Telecom did not answer the Traceback after several attempts to contact them by ITG.
275. On or around July 17, 2020, the ITG sent VoIP Innovations Traceback # 2779 for an illegal call placed on July 17, 2020.
276. The Traceback campaign stated: “Refund-CornaFraud.”
277. For the description of the call, the Traceback stated:
- Message says due to Covid-19 we are unable to provide services, but your card has been charged 399. Press 1 to claim a refund. This call is apparent FRAUD. Also, plays artificial voice to wireless number; does not identify caller; does not include toll-free callback in voicemail message. Recording of actual call available in Traceback Portal.
278. The ITG included an audio recording for this prerecorded message:
- . . . renewed automatically are one-hundred percent eligible for a full refund in forty-eight hours. If you want to cancel this subscription and get your refund, please press eight to connect billing officer.
279. VoIP Innovations identified Startel as the party who sent the call to them.
280. On or around July 17, 2020, the ITG sent Startel Traceback # 2779.
281. Startel responded to the Traceback stating: “we had suspended the customer and returned the balance and after 24 hrs we will remove the client from our network.” (Sic)
282. For Traceback # 2779, Startel did not provide the upstream provider’s name.
283. On or around July 17, 2020 the ITG sent Piratel Traceback # 2784 for an illegal call placed on July 17, 2020.
284. Piratel identified Startel as the party who sent the call to them.
285. In the Traceback form, Piratel commented: “We have informed the customer of this traceback. We will be reviewing on continuing business with this customer due to the number of tracebacks.”

286. On July 17, 2020, the ITG sent Startel Traceback # 2784.
287. The Traceback campaign stated: “Amazon-SuspiciousOrderRefund.”
288. For the description of the call, the Traceback stated: “FRAUD. Caller claims to be Amazon security department calling about a suspicious order. Offers to cancel order and issue a refund. Fraudulent calls are illegal.”
289. Startel responded to the Traceback stating: “we had suspended the customer and returned the balance and after 24 hrs we will remove the client from our network.” (Sic)
290. For Traceback # 2784, Startel did not provide the upstream provider’s name.
291. On or around July 21, 2020, the ITG sent Piratel Traceback # 2792 for an illegal call placed on July 21, 2020.
292. Piratel identified Startel as the party who sent the call to them.
293. In the Traceback form, Piratel commented to the ITG: “We have disabled this customer and are terminating their services / business relationship.”
294. The Traceback campaign stated: “Refund-ComputerServices.”
295. For the description of the call, the Traceback stated:
- FRAUD. Recorded message claims that a computer services subscription renewal fee of 399 has been charged to your account. Recorded message to wireless number generally not allowed. Calling party must be identified in voice-mail. Claimed subscription does not exist. Call is FRAUD.
296. On or around July 21, 2020, the ITG sent Startel Traceback # 2792.
297. The ITG included an audio recording for this prerecorded message:
- You’re the customer of this call in in regards to the renewal of computer services. As you are a registered customer of \$399.99 will be deducted from your account. If you wish to cancel or stop the payment please press one or call us back at our toll-free number 1-701-402-5242. Thank you.
298. Startel identified IQ Telecom as the more upstream provider.

299. IQ Telecom did not answer the Traceback after several attempts to contact them by ITG.
300. On or around July 21, 2020, the ITG sent VoIP Innovations Traceback # 2794 for an illegal call placed on July 21, 2020.
301. VoIP Innovations identified Startel as the party who sent the call to them.
302. On or around July 21, 2020, the ITG sent Startel Traceback # 2794.
303. The Traceback campaign stated: "Refund-ComputerServices."
304. For the description of the call, the Traceback stated:

FRAUD. Recorded message claims that a computer services subscription renewal fee of 399 has been charged to your account. Recorded message to wireless number generally not allowed. Calling party must be identified in voice-mail. Claimed subscription does not exist. Call is FRAUD.

305. The ITG included an audio recording for this prerecorded message:

You're the customer of this call in in regards to the renewal of computer services. As you are a registered customer of \$399.99 will be deducted from your account. If you wish to cancel or stop the payment please press one or call us back at our toll-free number 1-323-329-8118. Thank you.

306. Startel identified IQ Telecom as the more upstream provider.
307. IQ Telecom did not answer the Traceback after several attempts to contact them by ITG.
308. On July 21, 2020, Startel emailed the ITG, writing:

We are constantly receiving trace back from different clients.we even don't want anysort of robocalls or scams passes through our network.we usually block end users immediately and give 2 chances to our resellers.please let us know what should we do and how can we help to stop these calls. (Sic)

309. On July 21, 2020, the ITG emailed Startel back, in an email that seems to be written for another party. It stated:

Patrick,
What to do with an outfit like this?
StarTel, you'll recall, is the one with the shifty 499A filing. (It does look like they may have updated their DC agent for service.) And after some additional research, I

am suspicious (not certain) they are using a stolen identity (Wanda Hall) to run their business. They have six tracebacks this month, all for various refund scams.

310. Later that day, Startel emailed the ITG again, stating:

You can definitely contact wanda hall for the stolen indentity.If you need the personal number I can provide you and yes we have 6 trace back in last week and also replied with the proper information what we have on our file. for the same.we were running good and everything was smooth but all new clients messed up. So we thought of asking you for your help to make things good for us. Nevermind if you need any information I can help you with the trace backs thanks and yes we also don't want illegal calls from our network and that is the reason for our mail to seek help thats all. Well thanks for your time if you required any thing from us I can definitely provide that to you. (Sic)

311. The ITG responded by sending back a list of recommendations to prevent illegal calls. The email stated:

Hi Startel –

Here are some suggestions of steps you can take to prevent illegal calls from coming via your platform:

High-volume calling capability is only made available when the provider is confident that the use is legitimate by ensuring:

- The customer has been thoroughly checked out (including a complete know-your-customer protocol). One element in validating that a customer is a legitimate USA entity is to verify their USA bank account.
- The customer has a convincing, documented argument that all their calls are legal; claims of “calling with consent” are often suspicious and must be scrutinized
- The customer is fully aware of all USA calling regulations
- The provider is confident that the customer will not blend illegal calls with their legal traffic
- The provider has placed limits on the customer’s simultaneous calls and CPS in line with the customer’s planned traffic; high or unlimited values for these parameters are not appropriate as defaults
- The provider has a monitoring program in place to detect and act on large numbers of short-duration and/or incomplete calls; this indicates at least some of the calls are illegal and the burden to prove otherwise rests with the customer

If your customer is outside USA, do not allow them to place calls using +1 caller-ID values. These are not absolute rules. You need to decide what makes sense for your business.

312. Contrary to the messages above, Startel continued robocalling and/or assisting and

facilitating others robocalling.

313. On July 21, 2020, Startel emailed Piratel's CEO Karl Douthit, writing:

Hello these calls were from the IQ telecom a us based company we will forward the trace back and we gave them last change to give good traffic which they failed. We had removed them completely from our network and hopefully you won't get any traceback for our other clients. We thank you for the faith that you had on us. And hopefully you won't get any more complains from us. (Sic)

314. On July 22, 2020, Piratel's CEO responded to the email, writing:

We will need to review internally and with USTelecom as to if we are willing to enable your trunk again. We have received 4 tracebacks in 3 weeks which is the most tracebacks we have received from any single customer, much less in the space of time.

315. On July 22, 2020, Startel responded, writing:

Hello,
You had seen that from past 3 years we are using your services and you had never ever received any traceback for the same just last 2 weeks we had received 14 new clients. We are monitoring each and every clients and found out that 4 of the clients are using fraud traffic we had removed 2 of the client and rest 2 we are removing today from our network. (Sic)

316. Despite receiving four Tracebacks, which alerted them of illegal robocalls, Piratel did not terminate Startel as a client. Quite the opposite, Startel went on to route millions more calls to Hoosiers through Piratel's system, and Piratel continued to collect thousands of dollars from Startel.

317. On or around August 10, 2020, the ITG sent VoIP Innovations Traceback # 2844 for a call placed on August 10, 2020.

318. VoIP Innovations identified Startel as the party who sent the call to them.

319. On or around August 10, 2020, the ITG sent Startel Traceback # 2844.

320. The Traceback campaign stated: "Refund-ComputerServices."

321. For the description of the call, the Traceback stated:

FRAUD. Recorded message claims that a computer services subscription renewal fee of 399 has been charged to your account. Recorded message to wireless number generally not allowed. Calling party must be identified in voice-mail. Claimed subscription does not exist. Call is FRAUD.

322. The ITG included an audio recording for this prerecorded message:

. . . your account. If you wish to cancel or stop the payment please press one or call us back at our toll-free number 1-406-359-6749. Thank you.

323. Startel identified Telnovo Communications as the more upstream provider.

324. Telnovo Communications did not answer the Traceback after several attempts to contact them by ITG.

325. On June 8, 2021, the ITG sent Piratel Traceback # 5135 for a call placed on June 2, 2021.

326. Piratel identified Startel as the party who sent the call to them.

327. On June 8, 2021, the ITG sent Startel Traceback # 5135

328. The Traceback campaign stated: "Amazon - Subscription."

329. For the description of the call, the Traceback stated:

Calls claiming to be from Amazon to inform customer that their Amazon account will be auto renewed for Amazon Prime services.

330. Startel identified Sunsip as the more upstream provider.

331. Sunsip did not answer the Traceback after several attempts to contact them by the ITG.

332. The calls related to these Tracebacks are refund scams.

333. The purpose of the call is to lure the recipient into divulging their banking or credit card information.

334. In some cases, the caller will pretend to refund the money but only after the recipient allows them to remotely access the recipient's computer.

335. Once the recipient has allowed remote desktop access, the caller will install software onto

the computer, including malware and key-logging software. From there, the caller will then be able to monitor the recipient's activities, including what passwords he or she uses.

Consumer Complaints from Indiana Residents

336. As part of Indiana's Do Not Call List, Indiana residents are able to file Do Not Call complaints with the Office of the Attorney General.

337. Plaintiff is able to access a database of these consumer reports.

338. On February 5, 2020, an Indiana consumer on the Indiana Do Not Call List reported she received a prerecorded call that was routed through Startel. The consumer noted: "The call said it was from the billing department and that I would be charged \$299.99 for the next subscription if I didn't call to cancel."

339. On February 11, 2020, an Indiana consumer on the Indiana Do Not Call List reported he received a prerecorded call that was routed through Startel. The consumer noted:

I had received error messages on my computer screen in June, 1999. I received a phone message from Social apps. Inc. that they could fix it. After I let them install the program on my computer, I had misgivings about them, but mailed a check to them for \$1,999 for lifetime protection. The following day I received a call from another company, Quick Pro and they offered a similar program, I cancelled the Social Apps and send a check for \$1499 to Quick Pro. I called Social Apps and told them I was stopping payment on the check to them. They argued and finally agreed to charge me \$399 for a one year service. I was told by both companies that there were not going to be any further charges. I received a call on 2/11/20, which i assumed was related to this, that I was to call them to cancel or my subscription was going to renew (223.203.7780) When I called and told them that I wanted to cancel, I was told that I was eligible to receive d \$299 refund. I was happy about that so I allowed them to access my computer so I could fill out their form. When I was asked my bank name, I said so. Just send me a check, they said no. I hung up. Since then I have received a series of calls from as many locations as 7 Places.

340. On May 9, 2020, an Indiana consumer on the Indiana Do Not Call List reported she received a prerecorded call that was routed through Startel. The Indiana consumer reported calling Amazon, who advised it was a phishing scam.

341. On YouMail's publicly accessible database, YouMail has published several recordings received from the calling phone number connected to the complaint above (855-653-5632).⁷

342. The first recording was:

Your customer this is an important notification call to you from Amazon billing department this is to inform you that \$34.99 is going to be charged from your checking account or plastic card which is attached in our system within 24 hours for the auto renewal of your subscription. Thank you for being a part of Amazon family and keep enjoying free movies shows music and tax free delivery and much more and if you want to cancel the Amazon Prime subscription please press one to speak with an Amazon executive.

343. On June 18, 2020, an Indiana consumer on the Indiana Do Not Call List reported he received a prerecorded call that was routed through Startel. The consumer noted: "Calling me EVERY DAY between 1:30 and 2:00pm. Never did business with them and I never will. They are threatening to "auto-renew" my computer protection program for 599.00. I don't think so."

344. The consumer also reported the person in the recording identified himself as John Morgan.:

345. On YouMail's publicly accessible database, YouMail has published several recordings received from the calling phone number connected to the complaint above (844-215-9510).⁸

346. The first recording was:

You're receiving this email because we would like to inform you that the service which you have signed up with premium tech support has been expired so the service will be automatically renewed today and the renewal charges \$599.99 for three years contract will be automatically debited from your account since you have signed a contract with premium tech support for the auto renewal. However if you don't wish to continue our services. Call back on this number and ask for help. Thanking you James Morgan senior manager.⁹

347. On June 29, 2020, an Indiana consumer on the Indiana Do Not Call List reported he received a prerecorded call that was routed through Startel. The consumer noted: "The automated

⁷ 855-653-5632, YouMail, <https://directory.youmail.com/directory/phone/8556535632> (last visited Oct. 12, 2021).

⁸ 844-215-9510, YouMail, <https://directory.youmail.com/directory/phone/8442159510> (last visited Oct. 12, 2021).

⁹ *Id.*

message stated that I could be charged \$299 and my computer would stop working if I didn't call the number that they gave. This is definitely a hoax.”

Startel's Downstream Providers

Piratel

348. Initially, Piratel substantially assisted the robocallers in two main ways: (1) providing Startel with high-capacity, high-volume call traffic, which in turn allowed the robocallers to send more calls; and (2) providing an LRN dip so that Startel could route calls more cheaply, which in turn made it cheaper for the robocallers.
349. Piratel knew or consciously avoided knowing that the robocalls were violating the TSR and Indiana state law. Piratel was notified on many occasions Startel and the robocallers were not complying with the law. Piratel also had access to Startel's call detail records. A reasonable investigation into the call detail records would have revealed Startel's traffic was illegal.
350. On February 26, 2019, Startel signed a Services Agreement with Piratel for wholesale call termination and/or high-capacity, high-volume call traffic.
351. On its website, Piratel states that they “deal in high-capacity, high-volume call traffic.”¹⁰
352. Further, Piratel states:
- Because we know your calls are your top priority, we make sure you have everything you need to maximize your sales. Partnering with us couldn't be easier. The process is fast and streamlined. The forms are short and easy to fill out. Our customer service is provided by personal friendly engineers who understand your needs.¹¹
353. On February 27, 2019, Hall signed a Services Agreement between Piratel and Startel, stating her title was C.E.O.

¹⁰ Piratel, <https://www.piratel.com/> (last visited Oct. 12, 2021).

¹¹ *Id.*

354. As part of the Service Agreement, Hall signed Exhibit A¹², as a Service Agreement Attachment.
355. The exhibit listed all of the services provided by Piratel to Startel.
356. One of the services was for “LRN DIP” at “\$100 per month/50cps.”
357. Piratel markets its LRN services, stating:
- Reduce your termination costs by 30% or more with LRN dipping
No more wasting time or money on substandard routing schemes and unauthorized dipping service providers. As an authorized NPAC LRN (Number Portability Administration Center) provider, Piratel is able to provide accurate LRN data for high-volume customers. *Reduce your termination costs by 30% or more with LRN dipping.*¹³
358. According to the Number Portability Administration Center (“NPAC”), Piratel is an authorized NPAC user. Piratel is able to share some LRN information with “non NPAC users for the purposes of Rating, Routing, Billing and Network Maintenance use only.”¹⁴
359. On February 27, 2019, Hall signed Piratel’s Certification of Company Status form.
360. On February 27, 2019, Hall signed Piratel’s Payment Obligation form.
361. Chowdhury provided Piratel with a Visa card to process payments for Startel.
362. The Visa card, ending in 0608, was issued by ICICI Bank.
363. ICICI Bank has a corporate headquarters at ICICI Bank Towers, Bandra-Kurla Complex, Mumbai 400 051, India.
364. The Visa card had Hall’s name as the Card Holder Name.
365. The Visa card was a reloadable prepaid card.
366. The Visa card had a billing address of 2030 Covert Ave., Evansville, Indiana 47714.

¹² Exhibit A denotes an exhibit to the Service Agreement signed by Startel and Piratel and not an exhibit to this Complaint.

¹³ *Id.*

¹⁴ *LRN Contacts*, NPAC, <https://numberportability.com/the-npac/lrn-contacts/> (last visited Oct. 12, 2021).

367. Startel provided this contact information to Piratel:

Address: 2030 Covert Ave. Evansville, Indiana 47714
Website: <https://www.startelcommunication.com/>
Telephone: 315-599-8544 or 315-284-1596
Emails: billing@startelcommunication.com , sales@startelcommunication.com
Primary Contact Name: Abhijit "Sam" Chowdhury . . .

368. Startel had a wholesale account with Piratel.

369. Piratel categorized Startel's traffic as carrier or aggregator traffic.

370. Startel's service type was wholesale outbound termination to USA, Canada, United Kingdom, India, Pakistan, Bangladesh, Nepal, Philippines, Sri Lanka, and the UAE.

371. Startel's equipment and IP Address were:

IP: 151.106.12.126
Source registry: RIPE Network Coordination Centre (RIPE)
Customer: Startel Communications LLC
Address: 2030 Covert Ave. Evansville, IN 47714
Phone: 315-284-1596
Date Created: 2018-07-31T00:34:21Z
Based on the IP information verified through ARIN/WHOIS location is France

372. Startel provided two trade references to Piratel, which were VoIP Innovations and Ameraconnect Telecom LLC.

373. On August 21, 2019, Hall authorized Piratel to make charges in increments of \$100.

374. From January 1, 2020 to July 21, 2020, Startel made or routed approximately 9,934,413 calls nationwide through Piratel's services.

375. From January 1, 2020 to July 19, 2021, Startel paid Piratel approximately \$173,000.

376. From January 2, 2020 to July 31, 2021, Startel made or routed approximately 3,144,374 calls to Indiana area codes through Piratel's system.

377. Of these calls, 424,157 of the telephone numbers were on the Federal Do Not Call List and 402,824 of the telephone numbers were on the Indiana Do Not Call List.

378. Many Hoosiers on the Indiana and Federal Do Not Call Lists were called more than one once.
379. From January 2, 2020 to July 21, 2020, the call volume was 546,756 calls.
380. From October 23, 2020 to July 31, 2021, the call volume ramped up to 2,597,618 calls.
381. Of those 2.5 million calls, 199,372 of them were under six seconds, or 7.7% of the calls.
382. 474,041 were thirty seconds and under, or 18.25% of the calls.
383. 2,436,038 of the calls were sixty seconds and under, or 93.78% of the calls.
384. Upon information and belief, Piratel suspended Startel after receiving four Tracebacks in 2020.
385. After the suspension, Startel sent an email to Piratel with the subject line “Re: FW: All Access Settlement with Michigan AG.” Startel wrote:

Jay I am not dealing with new clients in till we know what they are running until we keep on screening clients we closed all the bad accounts which we had in last to last months. We are currently running 4 vendors as of now and didn't got single trace back for from last month till now. Frankly speaking we even wrong want to entertain trace back and also we don't wanna lose our vendor neither we want you to loose yours. We always wanted to increase our business but not with bad accounts we are preety much sure you won't get traceback. (Sic)

386. On September 15, 2020, Piratel responded: “Sam, so authorize a could hundred dollars, open 250 ports and start running some traffic and let’s see how it goes.”
387. After the suspension was lifted, Startel, Hall, and Chowdhury went right back to robocalling and/or assisting and facilitating others robocalling.
388. Chowdhury told Piratel’s CEO, Karl Douthit, that Hall was Chowdhury’s aunt, and that Chowdhury purchased the 2911 South Saint James, Evansville, IN 47714 address for her.
389. There are no public records of Chowdhury purchasing this property.
390. In the general course of business, Chowdhury would message Piratel when to charge the Visa card for a prepaid amount of \$1,000. Then, Startel would start initiating, causing to

initiate, or assisting and facilitating in the initiation of more calls.

391. During the length of their relationship, Startel provided five more credit card authorization forms.
392. On an undisclosed date, Startel provided a Credit Card Authorization form for a credit card ending in 9063 to Piratel. The credit card's expiration date was 06/24.
393. The credit card holder named for credit card ending in 9063 was Abhijit Chowdhury.
394. The form was electronically signed by "llc."
395. On January 1, 2021, Startel provided a Credit Card Authorization form for a credit card ending in 0210 to Piratel. The credit card's expiration date was 11/25.
396. The credit card holder named for the credit card was "abhijit chowdhury."
397. The form was electronically signed by Abhijit Chowdhury.
398. On February 24, 2021, Startel provided a Credit Card Authorization form for a credit card ending in 4066 to Piratel. The credit card's expiration date was 11/2024.
399. The form lacked a Card Holder Name.
400. The form was unsigned.
401. On an unknown date, Startel provided a Credit Card Authorization form for a credit card ending in 5068 to Piratel. The credit card's expiration date was 03/2026.
402. The form lacked a Card Holder Name.
403. The form was unsigned.
404. During the length of their relationship, Startel paid Piratel through Zelle at least six different times.
405. On February 12, 2021, with the subject line "Spoofing," Piratel emailed Startel, writing:

NOC,

We are in receipt of spoofing reports pertaining to ANI 12063851233 and upon investigation we see that one of the multiple sources of this traffic originates from your Trunk group. Please forward on this complaint to the originating party in effort to resolve this and be advised that repeated offenses can result in termination of services.

406. On February 12, 2021, Startel responded, writing:

We thank you for the information and we had already information and we had already informed to our client and i had already given a warning that we might block him. We will wait for the proper information from the client and hope for the best to resolve it as soon as possible. we will inform you the information about what we heard from our client side. Thank you for your cooperation. (Sic)

407. On February 12, 2021, Startel responded, writing:

Hello, we got confirmation that the originating party and they claimed that they purchase the number from this website :- <https://www.instantdidnumber.com/buy-virtual-phone-number>. this was the number 12063851233
But their account was blocked for some reasons that they even doesn't know how it blocked. So I asked them if they received confirmation for the purchase of the did-number over the email or invoice from the company for the number. (Sic)

408. On February 12, 2021, Piratel responded, through CEO Karl Douthit, writing: "Do you know if this customer was using the number incorrectly or if this is a new customer?"

409. On February 12, 2021, Startel responded, writing:

This was a old customer running from past 8 months as said earlier they purchased the number from a website given at <https://www.instantdidnumber.com/buy-virtual-phone-number>.

So we had had asked for a mal confirmation or anything that makes us understand that they purchased the number from that website. so I am waiting from the client end side (Sic)

410. Piratel did not follow up on the email thread.

411. Startel did not follow up on the email thread.

412. Upon information and belief, Startel continued to send traffic with spoofed Caller IDs.

413. Upon information and belief, some of these spoofed telephone numbers called telephone numbers with Indiana area codes.

414. Piratel assisted and facilitated in the initiation of telephone calls that spoofed the Caller ID.

415. On February 23, 2021, with the subject line “RS/ SSA SCAM . . .,” Piratel emailed Startel.

Piratel emailed back the same day. Below is their back and forth:

Piratel: *We have received a report that the following telephone numbers are involved in an IRS or SSA scam. The number is noted in reported attempts to gain sensitive personal data using the IRS or SSA name. We have verified that it is a scam and blocked the number. 9072067623. We see calls from your network today. Please identify the source and take action to stop this activity. We have disabled your trunk until this issue can be resolved.*

Startel: Hello, Without further investigation we had asked the client to block the account ASAP. We will instigate further and get back to you. (Sic)

Startel: We see calls are not getting connected from you end.kindly check and let me know. (Sic)

Piratel: We disabled the trunk until the issue can be resolved to satisfaction. Was this a new customer, or an existing customer with new traffic?

Startel: Hello, we can see it's a existing client with old customer only.we exactly don't know how it happened.We monitor maximum calls very carefully.But what exactly happened is still unknown to us though we had stoped the client as of now until we get the report after the investigation. (Sic)

416. Eventually, Piratel enabled Startel's account.

417. In one sampling of calls, on July 30 and July 31, 2021, Startel routed approximately 9,148 calls through Piratel to phone numbers with Hoosier area codes.

418. The phone number 202-792-2442 called 331 phone numbers with Hoosier area codes.

419. On YouMail's publicly accessible database, YouMail has published two recordings received from the phone number 202-792-2442.¹⁵

420. The first recording's transcript is: “You that your account has been charged \$199 for auto renewal charges of Amazon Prime membership subscription for any assistance and get the

¹⁵ 202-792-2442, YouMail, <https://directory.youmail.com/directory/phone/2027922442> (last visited Oct. 12, 2021).

refund press one.”¹⁶

421. The second recording’s transcript is:

US \$1399 will be charged from you're the classic card registered in your Amazon account. If you have not made any such transaction or to report an unauthorized transaction please press one to speak to our live customer care representative or call us back on 229568111.¹⁷

422. The phone number 205-282-0388 called 437 phone numbers with Hoosier area codes.

423. On YouMail’s publicly accessible database, YouMail has published two recordings received from the phone number 205-282-0388.¹⁸

424. One of the recording’s transcripts is:

Your customer this call is to inform you that there is suspicious activity taking place on your Amazon account your Apple iPhone 12 pro is arriving in 24 hour for delivery of iPhone 12 pro order placed using your account information for \$1,499. It would be delivered very soon your confirmation number 7789 and it seems to be under suspicious your customer. If you have in place this order kindly call on 510-800-2818 to connect our Amazon customer service. I repeat call on 510-800-2818 to connect Amazon customer service. Thank you.¹⁹

425. The phone number 207-503-5338 called 458 phone numbers with Hoosier area codes.

426. On YouMail’s publicly accessible database, YouMail has published eight recordings received from the phone number 207-503-5338.²⁰

427. One of the recording’s transcripts is:

This is an important notification call from the Billing Department. This is to inform you that \$399 is going to be fired(?) from your second part(?) which is a test(?) in our system within 24 hours for the auto renewal(?) section. If you want to cancel this subscription. Please call us immediately at +1-702-425-5948. I repeat the number 1-702-425-5948. If you are not the subscriber of PTAs para maintenance

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ 205-282-0388, YouMail, <https://directory.youmail.com/directory/phone/2052820388> (last visited Oct. 12, 2021).

¹⁹ *Id.*

²⁰ 207-503-5338, YouMail, <https://directory.youmail.com/directory/phone/2075035338> (last visited Oct. 12, 2021).

service please disconnect the call immediately and call us 1-702-425-5948. Thank you and have a wonderful day.²¹

428. The phone number 254-221-9324 called 516 phone numbers with Hoosier area codes.

429. On YouMail's publicly accessible database, YouMail has published six recordings received from the phone number 254-221-9324.²²

430. One of the recording's transcript is:

Hello, this is one of the associate attorney. I tried to reach you but unfortunately we missed your answer currently. I am the in charge of your proceedings case and the deployment 003 at nine, you should reach us within 24 hours for further proceedings not kindly call us back at 478-200-9607. So that we can take necessary action for the proof of satisfactory once again 478-200-9607.²³

431. On August 3, 2021, Piratel emailed Startel. The email's subject line was "Piratel Services Suspended Pending Review." Below is their back and forth via email:

Piratel: It has been brought to our attention the Internal Revenue Service has flagged the ANIs listed below as being associated with an IRS impersonation scam. We show several calls with these ANIs originating from your network, beginning July 26, 2021. Please review the list of ANIs and provide client information and action taken to ensure this matter has been addressed appropriately. . . . Not your account will remain suspended pending a full review.

Startel: Hello, I really don't know how can this happen. But I am pretty much sure they are ruining the same campaign from a long time that is online attorney conferencing, doctor appointment fixing something and online notary or something. Please review once as we had temporary block both the clients to send us traffic as of now. Our clients are ivoice telecom And lantone communication.please review and kindly let us know. (Sic)

Piratel: If these numbers were flagged in the past and your customer received them later that might explain that. Can you have your customer send over to you when they got these numbers? They may also want to reach out to the number source and let them know that these numbers have been flagged. A sample recording of the campaigns used for

²¹ *Id.*

²² 254-221-9324, YouMail, <https://directory.youmail.com/directory/phone/2542219324> (last visited Oct. 12, 2021).

²³ *Id.*

these numbers that end providers can listen to would help as well.

Startel: Hello they purchase in bulk numbers and I am trying to get the recording for your reference can you kindly turn on my trunk.

Piratel: We believe your clients you mentioned, *Invoice Telecom* and *Lantone Communications*, are not providing accurate their end users campaign. Please see links provided. <https://www.nomorobo.com/lookup/470-435-7840>. <https://www.nomorobo.com/lookup/321-617-5046>. We do not have the ability to vet Startel's wholesale customers' or their end users, so we need to have a very clear understanding of how Startel vets and manages their customers' in regards to preventing fraudulent calls. Please work with your clients to determine where these calls are originating from and provide us with an update detailing action taken and steps put in place to prevent this from occurring again.

Startel: Hello can you turn on our trunk we had turned off the trunk of those 2 clients.

Piratel: Before we can look to enable your trunk again we need to have you Enter into the FCC Robocall Mitigation Database. This is a rather easy process, but it will be necessary. Also: We will also need to have a better understanding of the policies and procedures you have in place to avoid/address fraudulent robocalling. . . .

432. Upon information and belief, Startel has not responded to Piratel with their policies and/or procedures.

433. For the link provided, <https://www.nomorobo.com/lookup/470-435-7840>, Nomorobo has a recording of the automated call. The recording transcript is:

Hello. This is Nikki Wright, one of the associate attorney. I tried to reach you, but unfortunately we missed your answer. Please listen to this message in its entirety. There's currently a motion being filed, bearing your name, to review immediate rights and details, and to avoid further proceedings. Please contact the concern department at 470-435-7840. Or you may press one to be transferred to your case manager immediately. Kindly revert as soon as possible on our number. That is 470-435-7840.

434. For the link provided, <https://www.nomorobo.com/lookup/321-617-5046>, Nomorobo has a recording of the automated call. The recording transcript is:

This is Nicki right? One of the associate attorney. I tried to reach you, but

unfortunately we missed your answer. Please listen to this message in its entirety. There's currently a motion being filed, bearing your name, to review immediate rights and details, and to avoid further proceedings. Please contact the concerned department. 321-617-5046. Or you may press one to be transferred to your case manager immediately. Kindly revert as soon as possible on our number. That is 321-617-5046.

435. Piratel was warned multiple times, from several different sources, that Startel was sending illegal robocall traffic. Despite all the warnings, Piratel knowingly continued doing business with Startel.
436. Piratel had access to all the information needed to a reasonable inquiry into Startel's traffic. Piratel did not access this information and did not do their due diligence. If they had, the information would have shown that Startel's traffic was illegal robocall traffic.
437. There were many points in 2020 and 2021 where Piratel could have terminated their relationship with Startel and stopped the flow of robocalls. They did not.
438. Instead of stopping the flow of illegal robocalls into Indiana, Piratel collected tens of thousands of dollars from Startel.

VoIP Innovations

439. From June 24, 2020 to December 2, 2020, Startel used VoIP Innovations as a VoIP provider.
440. From June 24, 2020 to December 2, 2020, Startel paid VoIP Innovations \$31,948.93.
441. For payments, Startel used the Visa card, ending in 0608.
442. From June 24, 2020 to December 2, 2020, Startel made over 9 million calls nationwide through VoIP Innovations' services.
443. From June 24, 2020 to December 2, 2020, Startel made approximately 452,701 calls to Indiana area codes through VoIP Innovations' system.
444. Of the 450,000 calls, 108,989 lasted six seconds or less. This represented 24.1% of the

450,000 calls.

445. 254,368 calls lasted thirty seconds or less. This represented 56.2% of the 450,000 calls.

446. 441,880 calls lasted sixty seconds or less. This represented 97.6% of the 450,000 calls.

447. 972 calls lasted over three minutes. This represented 0.2% of the 450,000 calls.

448. Through VoIP Innovation, Startel initiated and/or assisted and facilitated in the calling of 141,191 phone numbers on the Federal Do Not Call List associated with Indiana residents.

449. Through VoIP Innovation, Startel initiated and/or assisted and facilitated in the calling of 87,361 phone numbers on the Indiana Do Not Call List.

450. Many Hoosiers on the Indiana and Federal Do Not Call Lists were called more than once.

451. Startel initiated and/or assisted and facilitated in calling Hoosiers on the Federal Do Not Call List 224,520 times.

452. Startel initiated and/or assisted and facilitated in calling Hoosiers on the Indiana Do Not Call List 130,039 times.

VoIP Essential

453. Initially, VoIP Essential substantially assisted the robocallers in two main ways: (1) providing Startel with bursts of hundreds of calls per second, which in turn aided robocallers in sending more traffic; and (2) providing Startel with more ports, so that they could increase their call volume.

454. VoIP Essential knew or consciously avoided knowing that the robocalls were violating the TSR and Indiana state law. VoIP Essential was notified on many occasions Startel and the robocallers were not complying with the law. VoIP Essential also had access to Startel's call detail records. A reasonable investigation into the call detail records would have revealed Startel's traffic was illegal.

455. On July 21, 2020, Startel entered into a Carrier Services Agreement with VoIP Essential.

456. Chowdhury signed the agreement, stating his title was C.E.O.

457. On its website, VoIP Essential advertises that:

Our state of the art carrier-grade platform can handle bursts of hundreds of calls per second. This enables us to handle huge volumes of traffic from our customers including wholesale and dialer traffic. Whether you are a carrier, reseller or run a small business, call center or call shop, you don't need any minimum volume to benefit from our top notch services.²⁴

458. Further, VoIP Essential claims:

VoIP Essential's SIP trunking and wholesale voice services make it easy to connect an existing PBX system or a predictive dialer or an analog/digital telephone adapter in a few simple steps. Our customers can scale up or down with unlimited call capacity, while only paying for the minutes that are used.²⁵

459. VoIP Essential also advertises they offer “unmatched solutions at aggressive rates.”²⁶

460. As part of the agreement, Startel, Hall, and Chowdhury agreed to use VoIP Essential's services for only “lawful, proper and appropriate purposes.”

461. Further, Startel, Hall, and Chowdhury agreed not to use VoIP Essential for “illegal, improper, and/or inappropriate purposes.”

462. As part of the customer onboarding process, Startel provided a copy of Hall's Indiana Driver's License.

463. The address listed on the license was for Evansville, Indiana.

464. Further, Startel provided a copy of their FCC Form 499.

465. The copy of the FCC Form 499 included Chowdhury as the C.E.O. and Hall as the Chairman or Other Senior Officer.

²⁴ VOIP ESSENTIAL, <https://www.voipessential.com/> (last visited Oct. 12, 2021).

²⁵ *Voice*, VOIP ESSENTIAL, <https://www.voipessential.com/voice-service.html> (last visited Oct. 12, 2021).

²⁶ *About Us*, VOIP ESSENTIAL, <https://www.voipessential.com/about.html> (last visited Oct. 12, 2021).

466. From July 20, 2020 to July 27, 2021, Startel, Hall, and Chowdhury routed 222,251,133 nationwide calls through VoIP Essential.
467. Of those calls, 89,257,844 were answered, for an answer rate of 40.16%.
468. The answered calls accounted for 57,044,488.2 minutes.
469. The answered calls lasted an average of 38.35 seconds.
470. The answered calls had a short duration (under 6 seconds) percentage of 13.7%.
471. Thus, around 12,220,000 of the answered calls lasted less than 6 seconds.
472. Over 1,288,038 of the 89 million calls were made to phone numbers with Indiana area codes.
473. Of these calls, 424,157 of the telephone numbers were on the Federal Do Not Call List and 402,824 of the telephone numbers were on the Indiana Do Not Call List.
474. Many Hoosiers on the Indiana and Federal Do Not Call Lists were called more than once.
475. From July 20, 2020 to July 27, 2021, Startel paid VoIP Essential \$160,998.58 to make these calls.
476. Startel paid VoIP Essential mostly through PayPal.
477. In March 2021, Startel paid Tushar Kothalkar several times through Zelle.
478. Tushar Kothalkar is the CEO of VoIP Essential.
479. From time to time, VoIP Essential would send Startel complaints via VoIP Essential's support portal.
480. VoIP Essential, through Chief Technology Officer Sean Medhi, would contact Startel and Chowdhury.
481. On November 30, 2020, VoIP Essential sent Startel support Ticket #998481.
482. Ticket #998481 had the subject line: "Spoofing – 3416003092."
483. The body of Ticket #998481 included the text:

Hello,

We have received complaints regarding phone number 3416003092; this number is being spoofed and/or used in phishing scams. Searches have been performed and you have been identified as the Originator of the calls. Please investigate these calls and take the appropriate actions to Stop this activity. Call date - Nov 27 2020

- 484. Startel did not respond to Ticket #998481.
- 485. VoIP Essential closed the ticket without a follow up.
- 486. In January of 2021, Startel contacted VoIP Essential for a better rate for calling.
- 487. On January 18, 2021, VoIP Essential asked Startel was able “to commit \$20k per month?”
- 488. On January 18, 2021, Startel responded: “Yes I do more than 20k per month with other vendors.”
- 489. On January 18, 2021, VoIP Essential responded:

So are you saying we will go up in your LCR with better rates or you can send more traffic with current rates? Either way, I can send a better rate deck but we pay a ton for ports so I need to justify adding more ports. I cannot just add 5000 ports without knowing you will use them all. Let me know your thoughts.

- 490. Later on January 18, 2021, VoIP Essential wrote: “I have sent a new rate deck effective tomorrow GMT. You are out of funds, account is suspended, please add funds.”
- 491. From January 21 to January 28, 2021, VoIP Essential and Startel had this back and forth via email:

January 21, Startel:	Hello please increase the ports to 4000
January 21, VoIP Essential:	Hi. Can you send a bigger payment (10k or more) as an initial commitment?
January 21, Startel:	I can send you by day after tomorrow
January 21, VoIP Essential:	Ok, thank you. We can increase ports the next day.
January 21, Startel:	Can you increase the port to 3000 as of now and 300 cps as of now
January 21, VoIP Essential:	We have put in a request for more ports. I have updated your account to 2000 ports now, I may have to go back if needed. I will surely have more ports for you permanently on Monday.

January 26, VoIP Essential: Hello, I have added more ports on your account.

January 27, VoIP Essential: We are still waiting for the \$10,000 or more payment as discussed.

January 28, VoIP Essential: Your balance just ran out now.

January 28, Startel: You can check sending how much traffic and payment on your portal and please keep a price cap To 0.03. (Sic)

January 28, VoIP Essential: I see it, thanks. Price cap has been set. You spent \$770 this month on Paypal fees. I recommend using either Paypal mass payment or wire transfer so YOU save money. Let me know if you have any questions.

492. On January 27, 2021, VoIP Essential sent Startel support Ticket #437074.

493. Ticket #437074 had the subject line: "Scam Calls 2194914450."

494. The body of Ticket #437074 included the text:

We have received complaints regarding scam calls coming from 2194914450 to multiple numbers. Calls are s recording stating if they did not call a number back that he/she might be arrested as there is a warrant for their arrest. From our research, we see these calls ingressing from your network.

Please investigate the source of this traffic, block the traffic if possible, and contact the upstream carrier(s) from which the traffic was received to investigate and if possible block this traffic. If one of your end users originated the traffic, please block this traffic and contact them to stop these calls.

ANI – 2194914450

Date: 01/26/2021

Ton of calls

495. On January 29, 2021, Startel responded: "Sorry to hear about that we had asked our clients to remove the customer from our network.but thr customer was removed way earlier as per the client.we thank you for the information." (Sic)

496. On January 29, 2021, VoIP Essential responded: "Thank you for your response. This ticket is now being closed. Please feel free to re-open at any time by simply responding to this

email. Have a good day!”

497. On February 11, 2021, VoIP Essential sent Startel support Ticket #538234.
498. Ticket #538234 had the subject line: “CID Spoofing (2063851233).”
499. The body of Ticket #538234 included the text: “We have received reports of possible spoofing calls from '206-385-1233'. From our queries we’re seeing the calls ingress to us from your network. Please investigate and take the appropriate action.”
500. It also included five phone numbers that 206-385-1233 had called.
501. Startel did not respond to Ticket #538234.
502. VoIP Essential closed the ticket without a follow up.
503. On February 18, 2021, VoIP Essential sent Startel support Ticket #773196.
504. Ticket #773196 had the subject line: “Urgent – Fraudulent calls.”
505. The body of Ticket #773196 included the text: “We have gotten multiple complaints about fraudulent Calls. Please find an attached file with thousands examples. Please take immediate action and get back to us.”
506. Ticker #773196 included a CSV titled “Startel.”
507. The CSV filed included 4578 calls made from the phone number 957-853-9425.
508. The phone number 957-853-9425 placed these calls on February 16 and 17, 2021.
509. The phone number 957-853-9425 placed 53 calls to Indiana area codes.
510. On YouMail’s publicly accessible database, YouMail has published two recordings received from the phone number 957-853-9425.²⁷
511. One of the recording’s transcript is:

. . . Discuss about your case and take necessary action on this matter. If we don't hear from you then we will be forced to take legal action against you. Kindly call us back

²⁷ 957-853-9425, YouMail, <https://directory.youmail.com/directory/phone/9578539425> (last visited Oct. 12, 2021).

as soon as possible or press one to speak to our investigating officer thank you.²⁸

512. Startel did not respond to Ticket #773196.
513. VoIP Essential closed the ticket without a follow up.
514. On February 23, 2021, VoIP Essential sent Startel support Ticket #632408.
515. Ticket #632408 had the subject line: "SSA Scam 9072067631."
516. The body of Ticket #632408 included the text:

Hello,

We received this report:

Lumen has received a complaint that the number 9072067631 is being used in the perpetration of an SSA scam. The number is noted in reported attempts to gain payment & sensitive personal data using the SSA name.

Any assistance in investigating, and possibly blocking the account would be greatly appreciated, please confirm what steps are taken.

Please investigate and take action to stop this activity.

517. On YouMail's publicly accessible database, YouMail has published two recordings received from the phone number 907-206-7631.²⁹
518. One of the recording's transcript is:

Hello, this is an important call from the legal department. The very second you receive this message. Please leave your work aside and dial the number the number is 929455031 kindly press one or call us back at 929-456-5031 that we can discuss about your case and take necessary action on this matter if we don't hear from you then we will be forced to take legal action against you kindly press one or call us back at 929-456-5031.³⁰

519. On February 24, 2021, VoIP Essential sent another message: "We received another complaint regarding caller id 2082036598. If we don't hear from you on both these caller ids and with a confirmation that the calling customer rhasbbeen blocked, we may choose to block your trunk permanently." (Sic)

²⁸ *Id.*

²⁹ 907-206-7631, YouMail, <https://directory.youmail.com/directory/phone/9072067631> (last visited Oct. 12, 2021).

³⁰ *Id.*

520. On YouMail's publicly accessible database, YouMail has published six recordings received from the phone number 208-203-6598.³¹

521. One of the recording's transcript is:

This is an important notification call for you from Billing Department of Computer Services. This is to inform you that \$399 is going to be charged from your checking account or plastic card which is attached in our system within 24 hours for the auto renewal of your subscription. If you want to cancel the subscription please press one or call us immediately at the 418337880298. I repeat the number 1-833-788-0298. Thank you.³²

522. On February 24, 2021, Startel responded:

Hello ,

We heard that 2082036598 this number was running some sort of inbound education campaigns from us but they already emailed me that they were receiving huge number of calls on their phones. So they stopped using the number and as well as they changed their caller id. Our client has informed us yesterday only we think their number might had been confiscated. and regarding the other number which is 9072067631 we already asked our client to stop accepting the calls as we are still investigating on the number as we already received the same complains . But we had some recoding of the sip calls about some sort of insurance coverage where they require SSN last 4 digit number on the calls to fill up some sort of form .

We had asked to paused the campaign from our network until we investigate on the matter.

Thanks & Regards
Team Startel (Sic)

523. On February 27, 2021, VoIP Essential responded: "This ticket is now being closed. Please feel free to re-open at any time by simply responding to this email. Have a good day!"

524. On March 17, 2021, VoIP Essential sent Startel support Ticket #894765.

525. Ticket #894765 had the subject line: "URGENT - SSA Traffic."

526. The body of Ticket #894765 included the text: "We have received complaints about SSA traffic. Please cease and desist this traffic immediately."

³¹ 208-203-6598, YouMail, <https://directory.youmail.com/directory/phone/2082036598> (last visited Oct. 12, 2021).

³² *Id.*

527. Ticket #894765 also included 11 Social Security Administration calls.
528. On March 18, 2021, VoIP Essential followed up, writing: “We are still awaiting an update on this. If we do not hear from you on this within the next 24 hours, we may elect to block your traffic.”
529. On March 19, 2021, VoIP Essential sent a “Final follow up.”
530. Startel did not respond to Ticket #894765.
531. VoIP Essential closed the ticket.
532. VoIP Essential did not suspend Startel.
533. VoIP Essential did not block Startel’s traffic.
534. From March 22 to April 2, 2021, VoIP Essential and Startel had this back and forth via email:

March 22, VoIP Essential: Hi Abhijit,
I just tried to reach your number. We tried to contact you over a support ticket regarding an SSA Scam on your account. We haven't heard back from you despite multiple attempts. Please get back to me or respond to the ticket as soon as possible. Thanks.

March 23, Startel: Hello, We always reposeded you on yout support ticket please check once. (Sic)

March 23, VoIP Essential: I did. I don't see your response.
March 23, VoIP Essential: Still awaiting your response.

March 24, Startel: Can you please send us the Email once again.

March 24, VoIP Essential: Here you go: (VoIP Essential sent a copy of Ticket #894765).

March 24, Startel: We need 24 hrs to Investigate the source of the traffic and we wil get back to you asap. I need to talk to our support team and we need to check that either the traffic is still running or our team has already detected and removed from our network . (Sic)

March 24, VoIP Essential: Ok. Please let me know.

March 26, VoIP Essential: Still waiting for your update.

March 29, VoIP Essential: Following up. Also seeing lower volume today on your account. All ok?

April 1, VoIP Essential: We have suspended your trunk due to non response to SSA tickets and constant complaints including one today.

April 1, Startel: Hello Sean ,
I hope you are good.
Last time we spoke to you and informed you that we require 24 hours to find out the situation.
We found out that last time it was running insurance campaingns.We did inform you about the situation but wedont know why you are not receiving any mails from us.i hope this mail finds you well and I don't know how you are getting ssa complains.Please be noted when cunsumers are interested in this campaign they require to fill every details including ssn as well.So you must be aware that every fingers are not same I mean every person accepting those insurance calls and then later making false statement and you know what is happening to the telemarketers.i hope this mail reaches you and hopefully you understand.
(Sic)

April 2, Startel: Hello, No one has ever suspended our account like this way.This is not the way we run we moniter our calls regularly and no ther carriers complained us regarding our calls. (Sic)

April 2, VoIP Essential: I have reactivated your account temporarily until further investigation. If you are able to provide any details such as call recordings or campaign details for the reported calls, please send over.

April 2, Startel: I can ask them my client for the same my clients.i hope they can provide us the recordings for the same (Sic)

535. On March 29, 2021, Startel paid VoIP Essential \$298.67 to make or route 184,241 calls.

536. On March 30, 2021, after being asked by VoIP Essential why their call volume was down,

Startel paid VoIP Essential \$1515.18 to make or route 895,904 calls.

537. On March 31, 2021, Startel paid VoIP Essential \$1667.32 to make or route 972,937 calls.

538. On April 8, 2021, Startel paid VoIP Essential \$1951.14 to make or route 1,116,593 calls.

539. On April 9, 2021, Startel paid VoIP Essential \$1268.18 to make or route 696,935 calls.

540. On April 10, 2021, VoIP Essential sent Startel support Ticket #956243.

541. Ticket #956243 had the subject line: "Spoofing report (2058965751)."

542. The body of Ticket #956243 included the text:

We have reports of spoofed ANI's over your network. Please do the needful and respond at the earliest.

Examples:

Date: 4/9/2021

Time: 15:24 GMT

Originating Number: 2058965751 . . .

543. On April 12, 2021, Startel responded, stating:

Dear VoIP essential,

This is a Did number available at AWS portal.the clients is very well known to us and thus we asked them about the caller id they replied it's from AWS portal for free.

Please advise us anything you need from us.

Please signup AWS and search this number you will get it.

Thanks & Regards

Support team

Startel Communication llc (Sic)

544. On April 12, 2021, VoIP Essential responded, stating:

Thank you for your response. We have forwarded your comments to our carrier. We will let you know if any other questions come up.

This ticket is now being closed. Please feel free to re-open at any time by simply responding to this email.

Have a good day!

545. On April 15, 2021, VoIP Essential followed up, stating: "Pursuant to multiple more complaints regarding this caller id, we have blocked it on our network."

546. On April 15, 2021, VoIP Essential sent another message, stating: “Please respond within 24 hours to this ticket with explanation of steps taken to avoid such complaints in the future to avoid suspension of your account.”

547. On April 16, 2021, VoIP Essential followed up, writing: “Final reminder for information on this before account suspension.”

548. On April 17, 2021, VoIP Essential, through CTO Sean Medhi, sent Startel an email that read:

Hello Abhijit,
You are again not responding to tickets. It looks like our support emails are somehow getting blocked on your mail server. Please do what you can to resolve this email delivery issue.
Please respond to the existing Ticket #956243 at the earliest.

549. After a discussion of possible email receiving and sending issues, on April 22, 2021, VoIP Essential emailed Startel, stating: “Please fix the email issue as requested in the ticket. We must be able to reach you. And please get this scammer off our routes ASAP. I will await your response.”

550. On April 25, 2021, VoIP Essential emailed Startel, stating “Still awaiting your response on this.”

551. On April 26, 2021, Startel responded, stating: “We had removed the client from the trunk.”

552. Upon information and belief, some of these spoofed telephone numbers called telephone numbers with Indiana area codes.

553. VoIP Essential assisted and facilitated in the initiation of telephone calls that spoofed the Caller ID.

554. On May 6, 2021, VoIP Essential sent Startel an email, stating:

Hello,
Hope you are doing well.
I am seeing a significant decrease in traffic on your account. Can you tell me why?

We have 3000 ports assigned to you and you are using less than 1000. We lose money any time you don't use the ports which is why I am a bit concerned about this. Let me know your thoughts. Thank you.

555. In one sampling of calls, on June 1, 2021, Startel routed approximately 1,589 calls through VoIP Essential to phone numbers with Indiana area codes.

556. The phone number 262-277-3094 called 103 phone numbers with Indiana area codes.

557. On YouMail's publicly accessible database, YouMail has four recordings received from the phone number 262-277-3094.³³

558. The first recording's transcript is:

Your customer this is an important notification call to you from global it Services. This is to inform you the \$349.99 is going to be charged from your checking account or plastic card, which is attached in our system for the auto renewal of your subscription. If you want to cancel the subscription kindly press one or call us at 208-203-2975. Thank you. And have a wonderful day.³⁴

559. The phone number 760-640-5798 called 218 phone numbers with Hoosier area codes.

560. On YouMail's publicly accessible database, YouMail has published one recording received from the phone number 760-640-5798.³⁵

561. The first recording's transcript is: "Order 7073. If you have made this purchase from Amazon then confirm your order and simply hang up the call. If you have not made any such transaction. Then press one or call us back our number 1-205-340-9312. Thank you."³⁶

562. The phone number 850-299-0612 called 378 phone numbers with Indiana area codes.

563. On YouMail's publicly accessible database, YouMail has published one recording received from the phone number 850-299-0612.³⁷

³³ 262-277-3094, YouMail, <https://directory.youmail.com/directory/phone/2622773094> (last visited Oct. 12, 2021).

³⁴ *Id.*

³⁵ 760-640-5798, YouMail, <https://directory.youmail.com/directory/phone/7606405798> (last visited Oct. 12, 2021).

³⁶ *Id.*

³⁷ 850-299-0612, YouMail, <https://directory.youmail.com/directory/phone/8502990612> (last visited Oct. 12, 2021).

564. The first recording's transcript is: "Order 7073. If you have made this purchase from Amazon then confirm your order and simply hang up the call. If you have not made any such transaction. Then press one or call us back our number 1-205-340-9312. Thank you."³⁸
565. VoIP Essential was warned multiple times, from several different sources, Startel was sending illegal robocall traffic. Despite all the warnings, VoIP Essential knowingly continued doing business with Startel.
566. VoIP Essential had access to all the information needed to do a reasonable inquiry into Startel's traffic. VoIP Essential did not access this information and did not do their due diligence. If they had, the information would have shown that Startel's traffic was illegal robocall traffic.
567. There were many points in 2020 and 2021 where VoIP Essential could have terminated their relationship with Startel and stopped the flow of robocalls. They did not.
568. Instead of stopping the flow of illegal robocalls into Indiana, VoIP Essential collected thousands of dollars from Startel.

Startel's Illegal Calls

569. Upon information and belief, the calls were made using an automatic dialing-announcing device(s) to telephone lines in Indiana and disseminated prerecorded voice messages.
570. Upon information and belief, the devices in question were able to select and dial a telephone number, and then, working alone or in conjunction with other equipment, disseminates a prerecorded or synthesized voice message to the telephone number called.
571. For many of these calls, the caller did not have express or written consent to disseminate the prerecorded voice message.

³⁸ *Id.*

572. Upon information and belief, the prerecorded messages were not preceded by a live operator who could have obtained each recipient's consent before the message was delivered.
573. From January 1, 2020 to July 31, 2021, Startel initiated, caused to be initiated, or assisted and facilitated in the initiation of over 4,885,113 robocalls to Indiana area codes.
574. 3,144,374 were routed through Piratel.
575. Over 1,288,038 were routed through VoIP Essential.
576. 452,701 were routed through VoIP Innovations.
577. From January 1, 2020 through July 31, 2021, this represents roughly 7,519 calls per day to Hoosier area codes.
578. Startel, Hall, and Chowdhury initiated, caused to be initiated, and/or the assisted and facilitated in the initiation of calls to 782,941 Hoosier telephone numbers on the Federal Do Not Call List.
579. Startel, Hall, and Chowdhury initiated, caused to be initiated, and/or the assisted and facilitated in the initiation of calls to 605,159 Hoosier telephone numbers on the Indiana Do Not Call List.
580. Startel, Hall, and Chowdhury are not registered to access Indiana's Do Not Call List.
581. For some of these calls, Startel, Hall, and Chowdhury initiated a call or assisted and facilitated in the initiation of a call that delivered a prerecorded message to induce the purchase of a service, without valid, express written consent from the consumer.
582. For some of these calls, Startel, Hall, and Chowdhury did not include the identity of the seller or caller in the initial outbound call.
583. The "computer service" robocalls imply that the caller has a specific knowledge of the consumer's computer, support package, a relationship with the service provider or the

computer's manufacturer, and the purpose of the call is a computer support package.

584. Upon information and belief, Startel, Hall, and Chowdhury or their clients do not have a connection to a computer support provider.

585. The "Apple" and/or "Amazon" robocalls imply that the caller had a business or service relationship with the call recipient and a connection to Apple or Amazon.

586. Upon information and belief, Startel, Hall, and Chowdhury or the robocallers did not have an existing business relationship or service relationship with the call recipient.

587. Upon information and belief, Startel, Hall, and Chowdhury or the robocallers do not have a connection to Apple or Amazon.

588. The government imposter scam calls imply the caller has a relationship with the government entity they are calling on behalf of.

589. Upon information and belief, Startel, Hall, and Chowdhury or the robocallers do not have a connection to any governmental agency.

590. Startel, Hall, and Chowdhury made or assisted and facilitated in the making of false or misleading statements to induce the call receiver to provide payment information, consent to remote desktop access, and/or sell a computer support service.

591. In some instances, the called consumer did not have a computer.

592. Further, Startel, Hall, and Chowdhury attempted or assisted and facilitated in the attempt to conceal the caller's identity by delivering robocalls that failed to identify Startel, Hall, and Chowdhury or their clients.

VIOLATIONS OF THE TELEMARKETING SALES RULE

COUNT I

(Violating the Prohibition against Deceptive Telemarketing Acts or Practices)

593. Defendants violated 16 C.F.R. § 310.3 and 15 U.S.C. § 6102(c) by engaging in a pattern or practice of deceptive telemarketing to residential telephone subscribers, including subscribers in Indiana.
594. Startel, Chowdhury, and Hall violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
595. Startel, Chowdhury, and Hall knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.3(a)(2)(iii).
596. Piratel violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
597. Piratel knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.3(a)(2)(iii).
598. VoIP Essential violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
599. VoIP Essential knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.3(a)(2)(iii).
600. The sellers or telemarketers, through their “computer support,” Amazon support, and/or Social Security and Internal Revenue support calls, misrepresented the central character of the service they were offering, in violation of 16 C.F.R. § 310.3(a)(2)(iii).

COUNT II

(Violating the Prohibition against Deceptive Telemarketing Acts or Practices)

601. Defendants violated 16 C.F.R. § 310.3 and 15 U.S.C. § 6102(c) by engaging in a pattern or practice of deceptive telemarketing to residential telephone subscribers, including subscribers in Indiana.

602. Startel, Chowdhury, and Hall violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
603. Startel, Chowdhury, and Hall knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.3(a)(4).
604. Piratel violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
605. Piratel knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.3(a)(4).
606. VoIP Essential violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
607. VoIP Essential knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.3(a)(4).
608. The sellers or telemarketers made false or misleading statements to induce Indiana residents to purchase a support package or provide payment information for a scam, in violation of 16 C.F.R. § 310.3(a)(4).
609. In some instances, the sellers or telemarketers used misleading or inaccurate caller identification to mislead the Indiana residents, in violation of 16 C.F.R. § 310.3(a)(4).

COUNT III
(Violating the Prohibition against Abusive Telemarketing Acts or Practices)

610. Defendants violated 16 C.F.R. § 310.4 and 15 U.S.C. § 6102(c) by engaging in a pattern or practice of deceptive telemarketing to residential telephone subscribers, including subscribers in Indiana.
611. Startel, Chowdhury, and Hall violated 16 C.F.R. § 310.3(b) by providing substantial

assistance or support to any seller or telemarketer.

612. Startel, Chowdhury, and Hall knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.4(d)(1).

613. Piratel violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.

614. Piratel knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.4(d)(1).

615. VoIP Essential violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.

616. VoIP Essential knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.4(d)(1).

617. The sellers or telemarketers did not promptly disclose the identity of the seller in their outbound calls, in violation of 16 C.F.R. § 310.4(d)(1).

618. In some instances, the sellers or telemarketers used misleading or inaccurate caller identification to actively hide the identity of the seller, in violation of 16 C.F.R. § 310.4(d)(1).

COUNT IV

(Violating the Prohibition against Abusive Telemarketing Acts or Practices)

619. Defendants violated 16 C.F.R. § 310.4 and 15 U.S.C. § 6102(c) by engaging in a pattern or practice of deceptive telemarketing to residential telephone subscribers, including subscribers in Indiana.

620. Startel, Chowdhury, and Hall violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.

621. Startel, Chowdhury, and Hall knew or consciously avoided knowing the sellers or

telemarketers were engaged in an act that violated 16 C.F.R. § 310.4(b)(1)(iii)(B).

622. Piratel violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
623. Piratel knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.4(b)(1)(iii)(B).
624. VoIP Essential violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
625. VoIP Essential knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated 16 C.F.R. § 310.4(b)(1)(iii)(B).
626. The sellers or telemarketers initiated outbound telephone calls to telephone numbers on the National Do Not Call Registry, in violation of 16 C.F.R. § 310.4(b)(1)(iii)(B).

COUNT V

(Violating the Prohibition against Abusive Telemarketing Acts or Practices)

627. Defendants violated 16 C.F.R. § 310.4 and 15 U.S.C. § 6102(c) by engaging in a pattern or practice of deceptive telemarketing to residential telephone subscribers, including subscribers in Indiana.
628. Startel, Chowdhury, and Hall violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
629. Startel, Chowdhury, and Hall knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated § 310.4(b)(1)(v)(A)(i).
630. Piratel violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
631. Piratel knew or consciously avoided knowing the sellers or telemarketers were engaged in

an act that violated § 310.4(b)(1)(v)(A)(i).

632. VoIP Essential violated 16 C.F.R. § 310.3(b) by providing substantial assistance or support to any seller or telemarketer.
633. VoIP Essential knew or consciously avoided knowing the sellers or telemarketers were engaged in an act that violated § 310.4(b)(1)(v)(A)(i).
634. The sellers or telemarketers initiated outbound telephone call that delivered a prerecorded message to induce the purchase of any good or service, without the valid express consent, in writing, from the consumer receiving the call, in violation of 16 C.F.R. § 310.4(b)(1)(v)(A)(i).

VIOLATIONS OF THE TELEPHONE CONSUMER PROTECTION ACT

COUNT VI

(Violating the Prohibition against Calling Numbers Listed on the National Do Not Call Registry)

635. Upon information and belief, Startel, Chowdhury, and Hall violated 47 C.F.R. § 64.1200(c)(2) and 47 U.S.C. § 227(c) by engaging in a pattern or practice of initiating telephone solicitations to residential telephone subscribers, including subscribers in Indiana, whose telephone numbers were listed on the National Do Not Call Registry.

COUNT VII

(Violating the Prohibition against the Use of Artificial or Prerecorded Voice Messages to Residential Telephone Lines)

636. Upon information and belief, Startel, Chowdhury, and Hall violated 47 C.F.R. § 64.1200(a)(3) and 47 U.S.C. § 227(b)(1)(B) by engaging in a pattern or practice of initiating telephone calls to residential telephone lines, including lines in Indiana, using artificial or prerecorded voices to deliver a message without the prior express written consent of the called party and where the call was not initiated for emergency purposes or exempted by rule

or order of the FCC under 47 U.S.C. § 227(b)(2)(B).

COUNT VIII
(Violating the Prohibition against the Use of
Artificial or Prerecorded Voice Messages to Cellular Telephone Lines)

637. Upon information and belief, Startel, Chowdhury, and Hall violated 47 C.F.R. § 64.1200(a)(1)(iii) and 47 U.S.C. § 227(b)(1)(A)(iii) by engaging in a pattern or practice of initiating telephone calls to cellular telephone lines, including lines in Indiana, using artificial or prerecorded voices to deliver a message without the prior express consent of the called party and where the call was not initiated for emergency purposes or exempted by rule or order of the FCC under 47 U.S.C. § 227(b)(2)(B).

COUNT IX
(Violating the Prohibition against Use of Artificial or Prerecorded Voice Messages
Without Clear Disclosure of Caller Identity)

638. Upon information and belief, Startel, Chowdhury, and Hall violated 47 C.F.R. § 64.1200(b)(1) and 47 U.S.C. § 227(d)(3)(A) by initiating telephone calls to residential lines using artificial or prerecorded voices to deliver messages to residents in Indiana, that failed to clearly state, at the beginning of the message, the identity of the business, individual, or other entity responsible for initiating the call.

COUNT X
(Violating the Prohibition against Misleading or Inaccurate Caller Identification
Information)

639. Upon information and belief, Startel, Chowdhury, and Hall violated 47 C.F.R. § 64.1604(a) and 47 U.S.C. § 227(e)(1) by engaging in a pattern or practice of initiating telephone calls and, with the intent to defraud, cause harm, or wrongfully obtain anything of value, knowingly caused, directly or indirectly, caller identification services to transmit or display misleading or inaccurate caller identification information to residents in Indiana.

VIOLATIONS OF INDIANA TELEMARKETING LAWS

COUNT XI

(Violating the Telephone Solicitation of Consumers Act (the “TSCA”), Ind. Code 24-4.7-4)

640. Pursuant to Ind. Code § 24-4.7-3-1, the Office of the Attorney General quarterly publishes a no telephone sales solicitation listing (“Indiana’s Do Not Call list”). Consumers place their telephone numbers on Indiana’s Do Not Call list when they do not want to receive telephone calls soliciting the sale of a consumer good or service, as defined in Ind. Code § 24-4.7-2-3. The telephone calls described above were “telephone sales calls” because they were made to solicit the sale of a consumer good or service or to obtain information to be used to solicit the sale of a consumer good or service including, without limitation, computer support packages.
641. By making or causing to be made telephone sales calls to consumers residing in Indiana, the callers are “doing business in Indiana,” as defined by Ind. Code § 24-4.7-2-5(a), regardless of where the telephone calls originate or where are located. By controlling, directly or indirectly, one or more persons who made or caused others to make telephone calls to consumers located in Indiana, the persons are “doing business in Indiana,” as defined by Ind. Code § 24-4.7-2-5(b), regardless of where the persons are located.
642. By contacting or attempting to contact subscribers in Indiana by telephone, the callers are “callers,” as defined by Ind. Code § 24-4.7-2-1.7 and § 24-5-14-2. By “doing business in Indiana,” the callers are “telephone solicitors,” as defined by Ind. Code § 24-4.7-2-10.
643. By regularly engaging in or soliciting consumer transactions, whether or not the callers deal directly with consumers, the callers are “suppliers” as defined by Ind. Code § 24-4.7-2-7.7 and § 24-5-0.5-2.

644. Many of the telephone sales calls were made to telephone numbers included on Indiana's Do Not Call List at the time of the calls. By making or causing others to make telephone sales calls to telephone numbers on Indiana's Do Not Call List at the time of the calls, the callers committed many violations of the TSCA, Ind. Code § 24-4.7-4-1.
645. As telephone solicitors, suppliers, and callers, the callers may not transfer a live call to one or more persons if the call has been placed to a consumer in violation of the TSCA, Ind. Code 24-4.7 or the Auto-Dialer Act, Ind. Code 24-5-14. Ind. Code § 24-4.7-4-7(c). Upon information and belief, the callers may have transferred live calls to people where the calls had been placed in violation of the TSCA and/or the Auto-Dialer Act.
646. Upon information and belief, Startel, Chowdhury, and Hall were sometimes telephone solicitors and/or callers who called Hoosiers on the Indiana Do Not Call List, in violation of Ind. Code § 24-4.7-4-1.
647. Startel, Chowdhury, and Hall violated Ind. Code § 24-4.7-4-7(e) by providing substantial assistance to a telephone solicitor, supplier, or caller.
648. Startel, Chowdhury, and Hall knew or consciously avoided knowing that the telephone solicitor, supplier, or caller was engaged in a practice that violated Ind. Code 24-4.7-4.
649. Startel's equipment or services were used for more than the transportation, handling, or retransmitting of a call.
650. Piratel violated Ind. Code § 24-4.7-4-7(e) by providing substantial assistance to a telephone solicitor, supplier, or caller.
651. Piratel knew or consciously avoided knowing that the telephone solicitor, supplier, or caller was engaged in a practice that violated Ind. Code 24-4.7-4.
652. Piratel's equipment or services were used for more than the transportation, handling, or

retransmitting of a call.

653. VoIP Essential violated Ind. Code § 24-4.7-4-7(e) by providing substantial assistance to a telephone solicitor, supplier, or caller.
654. VoIP Essential knew or consciously avoided knowing that the telephone solicitor, supplier, or caller was engaged in a practice that violated Ind. Code 24-4.7-4.
655. VoIP Essential's equipment or services were used for more than the transportation, handling, or retransmitting of a call.
656. Each telephone call made to telephone numbers on Indiana's Do Not Call list is a violation of Ind. Code § 24-4.7-4-1 and constitutes a deceptive act, as defined by Ind. Code § 24-4.7-5-1.

COUNT XII
(Violating the Regulation of Automatic
Machines Dialing Act (the "Auto-Dialer Act"), Ind. Code 24-5-14)

657. The recipients of the telephone calls described above were "subscribers," as defined in Ind. Code § 24-5-14-4. By contacting or attempting to contact subscribers in Indiana by telephone, the callers are "callers," as defined by Ind. Code § 24-5-14-2. The telephone calls described above were reported as "robocalls," meaning they were made by an automated dialing-announcing device, as defined by Ind. Code § 24-5-14-1, and disseminated a prerecorded voice message.
658. The recipients of the prerecorded messages did not knowingly or voluntarily request, consent, permit, or authorize receipt of the message. The prerecorded messages were not preceded by a live operator who could have obtained each recipient's consent before the message was delivered.
659. By using or connecting an automatic dialing-announcing device to telephone lines in Indiana

- and disseminating prerecorded voice messages without the required consent or authorization, the callers committed many violations of the Auto-Dialer Act, Ind. Code § 24-5-14-5(b).
660. Upon information and belief, Startel, Chowdhury, and Hall were sometimes telephone solicitors and/or callers who robocalled Hoosiers, in violation of Ind. Code § 24-5-14-5(b).
 661. Startel, Chowdhury, and Hall violated Ind. Code § 24-4.7-4-7(e) by providing substantial assistance to a telephone solicitor, supplier, or caller.
 662. Startel, Chowdhury, and Hall knew or consciously avoided knowing that the telephone solicitor, supplier, or caller was engaged in a practice that violated Ind. Code 24-5-14.
 663. Startel's equipment or services were used for more than the transportation, handling, or retransmitting of a call.
 664. Piratel violated Ind. Code § 24-4.7-4-7(e) by providing substantial assistance to a telephone solicitor, supplier, or caller.
 665. Piratel knew or consciously avoided knowing that the telephone solicitor, supplier, or caller was engaged in a practice that violated Ind. Code 24-5-14.
 666. Piratel's equipment or services were used for more than the transportation, handling, or retransmitting of a call.
 667. VoIP Essential violated Ind. Code § 24-4.7-4-7(e) by providing substantial assistance to a telephone solicitor, supplier, or caller.
 668. VoIP Essential knew or consciously avoided knowing that the telephone solicitor, supplier, or caller was engaged in a practice that violated Ind. Code 24-5-14.
 669. VoIP Essential's equipment or services were used for more than the transportation, handling, or retransmitting of a call.
 670. Each robocall is a violation of the Auto-Dialer Act and constitutes a deceptive act that is

actionable by the Indiana Attorney General under Ind. Code § 24-5-14-13.

COUNT XIII
(Violating the Indiana law Prohibiting
False or Misleading Caller Identification, Ind. Code § 24-5-14.5-9)

671. Ind. Code § 24-5-14.5-9 prohibits knowingly causing the transmission of misleading or inaccurate caller identification information with intent to defraud, or cause harm to another person, or to wrongfully obtain anything of value. Caller identification information means information provided by a caller identification service regarding the origination of a telephone call, including the telephone number or name identification. Ind. Code § 24-5-14.5-2.
672. For the telephone calls described above, Startel, Hall, and Chowdhury knowingly caused the transmission of misleading or inaccurate caller identification information. They were warned multiple times by VoIP Essential and Piratel the caller identification was misleading and inaccurate.
673. Startel, Hall, and Chowdhury caused the misleading or inaccurate caller identification information to be transmitted with the intent to defraud one or more recipients of the calls, cause harm to one or more recipients of the calls, or to wrongfully obtain something of value from one or more of the recipients of the calls.
674. By knowingly transmitting so many scam calls to Indiana residents, Startel, Hall, and Chowdhury were attempting to defraud recipients of the calls, causing harm to the call recipients, and/or to wrongfully obtain something of value from the call recipients.
675. By causing transmissions of misleading or inaccurate caller information with the requisite intent, Startel, Hall, and Chowdhury committed many violations of Ind. Code § 24-5-14.5-9.

676. Plaintiff asserts a general allegation regarding additional violations of Ind. Code § 24-5-14.5-9 by Startel, Hall, and Chowdhury with respect to as yet unidentified Indiana consumers who may be identified during the course of this litigation and incorporates all associated legitimate claims herein by reference.
677. Plaintiff, through the Office of the Attorney General, has authority to seek remedies, including injunctive relief and remedies under Ind. Code 24-5-0.5, for violations of Ind. Code § 24-5-14.5-9, pursuant to Ind. Code § 24-5-14.5-12(a) & (b).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that this Court:

1. Enter judgment against Defendants Startel, Hall, and Chowdhury, and in favor of Plaintiff for each violation alleged in this complaint.
2. Enter judgment against Defendant Piratel, and in favor of Plaintiff for each violation alleged in this complaint.
3. Enter judgment against Defendant VoIP Essential, and in favor of Plaintiff for each violation alleged in this complaint.
4. Enter judgment against all and award Plaintiff civil penalties up to \$43,792 for each violation of the TSR, and award Plaintiff such relief as the Court finds necessary to redress injury to consumers resulting from said Defendants' violations of the TSR, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies.
5. Enter a permanent injunction to prevent future violations of the TSR by all Defendants.
6. Assess against Defendants Startel, Hall, and Chowdhury, and in favor of the Plaintiff damages of one thousand five hundred dollars (\$1,500) for each violation of the TCPA found

by the Court to have been committed by said willfully and knowingly; if the Court finds have engaged in violations of the TCPA which are not willful and knowing, then assessing against said damages of five hundred dollars (\$500) for each violation of the TCPA, as provided by 47 U.S.C. § 227.

7. Permanently enjoin Defendants Startel, Hall, and Chowdhury from violating the TCPA, both generally and specifically, by enumerating the acts in which are permanently enjoined from engaging.
8. Permanently enjoin all Defendants, their agents, representatives, employees, and assigns and any other person acting on behalf of any from engaging in acts prohibited by Indiana law, including specifically:
 - a. Making, causing to be made, or the assisting and facilitating in telephone sales calls to telephone numbers on the Indiana DNC List in violation of the TSCA, Ind. Code § 24-4.7-4-1; and
 - b. Making, causing to be made, or the assisting and facilitating in telephone calls via an automatic dialing-announcing device, as defined by Ind. Code § 24-5-14-1, and disseminating a prerecorded message in violation of Ind. Code § 24-5-14-5(b), pursuant to Ind. Code § 24-5-0.5-4(c)(1);
9. Permanently enjoin Defendants Startel, Hall, and Chowdhury, their agents, representatives, employees, and assigns and any other person acting on behalf of any from Transmitting or causing the transmission of misleading or inaccurate caller identification information to Indiana telephone numbers with the intent to defraud someone, cause harm to someone, or to wrongfully obtain something of value from someone in violation of Ind. Code § 24-5-14.5-9.

10. Order Defendants Startel, Hall, and Chowdhury, jointly and severally, to pay to the Office of the Indiana Attorney General:
 - a. any and all money obtained through all violations of Ind. Code 24-4.7-4, 24-5-14, and 24-5-14.5-9;
 - b. a civil penalty of ten thousand dollars (\$10,000) for the first violation and twenty-five thousand dollars (\$25,000) for subsequent violations of the TSCA, Ind. Code § 24-4.7-4-1;
 - c. a civil penalty of ten thousand dollars (\$10,000) for the first violation and twenty-five thousand dollars (\$25,000) for each subsequent violation occurring after July 1, 2019 for each violation of the Auto-Dialer Act, Ind. Code § 24-5-14-5(b), occurring before July 1, 2019, according to the statutory terms in effect on the dates of the calls;
 - d. a civil penalty of ten thousand dollars (\$10,000) for each violation of the False and Misleading Caller Identification law, Ind. Code § 24-5-14.5-9; and
 - e. reimbursement of its reasonable costs incurred in the investigation and prosecution of this matter, pursuant to Ind. Code § 24-4.7-5-2(4) and § 24-5-0.5-4(c)(4).
11. Order Defendants Piratel and VoIP Essential to pay to the Office of the Indiana Attorney General:
 - f. any and all money obtained through all violations of Ind. Code 24-4.7-4, 24-5-14, and 24-5-14.5-9;
 - g. a civil penalty of ten thousand dollars (\$10,000) for the first violation and twenty-five thousand dollars (\$25,000) for subsequent violations of the TSCA, Ind. Code § 24-4.7-4-1;
 - h. a civil penalty of ten thousand dollars (\$10,000) for the first violation and twenty-five

thousand dollars (\$25,000) for each subsequent violation occurring after July 1, 2019 for each violation of the Auto-Dialer Act, Ind. Code § 24-5-14-5(b), occurring before July 1, 2019, according to the statutory terms in effect on the dates of the calls; and

- i. reimbursement of its reasonable costs incurred in the investigation and prosecution of this matter, pursuant to Ind. Code § 24-4.7-5-2(4) and § 24-5-0.5-4(c)(4).
12. Order to pay the costs of this action, including costs of investigation incurred by Plaintiff.
13. Award Plaintiff such other and additional relief as the Court may determine to be just and proper.

JURY DEMAND

14. Plaintiff hereby demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Respectfully submitted,

The Office of the Indiana Attorney General

Date: October 14, 2021

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