May 18, 2017

Ms. Marlene Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: Petition for Declaratory Ruling of All About The Message, LLC  
CG Docket No. 02-278

Dear Ms. Dortch:

I write in opposition to the petition filed by All About The Message, LLC (“AALM”) (the “Petition”) which seeks a declaratory ruling that “ringless voicemails” are exempt from the requirements of the Telephone Consumer Protection Act (“TCPA”) 47 U.S.C. § 227 et seq.

I represent Tom Mahoney in a lawsuit regarding the so-called “ringless voicemails.” The lawsuit is styled Tom Mahoney, individually and on behalf of a class v. TT of Pine Ridge, Inc., No. 9:17-cv-80029 in the United States District Court for the Southern District of Florida (“Litigation”) and appears to be the catalysts for the Petition filed by AALM.

I have worked with Randall Snyder to help prepare expert testimony for the Litigation. Mr Snyder filed a copy of his expert testimony with the Federal Communication Commission (“Commission”) and I join in and support his comments. Additionally, Mr Mahoney is filing comments with the Commission and I join in and support his comments as well.

I believe that the Commission should deny both the Petition and the request for a retroactive waiver. In order to continue enforcement of the TCPA it is...
imperative that ringless voicemails are not given a stamp of approval by the Commission. If the Commission approves the Petition the abuse suffered by consumers will be unlimited. There will be nothing to prevent marketers from inundating the voicemail box of every cellular user.

The type of complaints that will be generated from consumers are illustrated by the documents attached as Exhibits 1 and 2. Exhibit 1 is a complaint left on the Naples Nissan’s Facebook site regarding its robo-message campaign. Exhibit 2 is a message left on the website Dealer Review regarding the same robo-message campaign. These are two real-life examples of the invasion of privacy created by the ringless voicemail campaigns.

Thank you in advance for your consideration of my comments.

Sincerely,

Chris R. Miltenberger, Esq.
Scott Wolf to Naples Nissan
December 22, 2016 · Fort Myers, FL.

Why are you calling my minor daughter’s cell phone and leaving recorded advertisement messages. The TCPA forbids calling a cell phone with an automated message. When I call you on the phone and complain just hung up on twice.
December 30, 2016

"They call random people unsolicited" - Christopher Spencer

I told you people the last time you called me unsolicited that I was not interested in your services, and that cold calling me is a sure fire way to ensure I don’t do business with you when the time comes. Yet AGAIN I received a voicemail from your dealership/telemarketing firm today. I’m not sure who you think is being called by someone they don’t know trying to get them to spend thousands of dollars out of the blue and enjoys it, but count me as one that doesn’t.

READ LESS

CUSTOMER SERVICE ★★★★★
QUALITY OF WORK ★★★★★
FRIENDLINES ★★★★★
PRICING ★★★★★
OVERALL EXPERIENCE ★★★★★
RECOMMEND DEALER NO

EMPLOYEES WORKED WITH
Random Telemarketing/Unsolicited SPAM call

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