

Jan 20th, 2016
Commission's Secretary
Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington, DC 20554
Deena Shetler: deena.shetler@fcc.gov
FCC Contractor: fcc@bcpiweb.com
Re: WC Docket No. 06-210
CCB/CPD 96-20

**MOTION TO TEMPORARILY SUSPEND FCC DECLARATORY RULING
PROCEEDINGS DUE TO FCC ORDERS THAT RESOLVE LIABILITY AGAINST
AT&T AND HAVE NOT BEEN SEEN BY NJFDC**

**THE FCC PROCEEDINGS SHOULD REMAIN OPEN ONLY TO CONSIDER
PLAINTIFFS SANCTIONS REQUEST THAT WILL BE FILED THIS WEEK**

As per below email and exhibit of the letter from plaintiffs' counsel Ray Grimes to AT&T counsel Richard Brown, plaintiffs request that the FCC **temporarily** suspend consideration of declaratory ruling requests. It is conclusive that under 1995 and 2007 FCC Orders which the NJFDC have not seen, that there is not an interpretative tariff issue open to resolve.

Plaintiffs will seek to lift the stay before the NJFDC and proceed to damages. Plaintiffs will only be back to the FCC to resume proceedings if the NJFDC still does not understand that the Judge Bassler 2006 referral on obligation allocation is totally moot by both the FCC Orders as well as the merits. Besides the FCC ORDERS NJFDC Judge Bassler and Judge Wigenton have not been presented tariff analysis that will clarify why AT&T has no evidence to support its "all obligations" fraud perpetrated on the NJFDC and FCC—as no evidence exists.

Plaintiffs also with this motion request that while the FCC proceedings are suspended, plaintiffs want the 06-210 case to remain open to consider plaintiffs sanctions request due to AT&T

counsels obvious intentional frauds on the FCC as outlined on the FCC server:

<http://apps.fcc.gov/ecfs/comment/view?id=60001310889>

AT&T counsel Richard Brown on February 5th 2008 stated that the FCC has the ability to assess sanctions when it recognizes intentional fraud upon the FCC. The FCC should grant plaintiffs request based upon this motion as it contains evidence (FCC 1995 Order) that even the FCC did not have knowledge of when releasing its first 2003 decision.

See recent emails.....

From: Al Inga [mailto:ajdmm@optonline.net]
Sent: Tuesday, January 19, 2016 8:08 PM
To: 'Deena Shetler'; 'Brown, Richard'
Cc: 'john.Ingle@fcc.gov'; 'Ajit Pai'; 'Jessica Rosenworcel'; 'Robert McDowell'; 'Kay Richman'; 'Sharon Kelley'; 'Jane Halprin'; 'Julie Veach'; 'KJMWEB@fcc.gov'; 'Sharon Gillett'; 'MeredithAttwell.Baker@fcc.gov'; 'Michael.Copps@fcc.gov'; 'Jonathan.Adelstein@fcc.gov'; 'Eddie.Lazarus@fcc.gov'; 'Zachary Katz'; 'thomas.wheeler@fcc.gov'; 'Mike ORIelly'; 'Mignon Clyburn'; 'Jessica Rosenworcel'; 'robert.ratcliffe@fcc.gov'; 'eric.botker@fcc.gov'; 'Jane Halprin'; 'Julie Veach'; 'Kay.Richman@fcc.gov'; 'KJMWEB@fcc.gov'; 'Matthew Berry'; 'robert.ratcliffe@fcc.gov'; 'Sharon Kelley'; 'Tom Wheeler'; 'Suzanne Tetreault'; 'David Gossett'; 'Jennifer Tatel'; 'Karen.onyeue@fcc.gov'; 'Stephanie Weiner'; 'Madelein.findley@fcc.gov'; 'Jim Bird'; 'Jamilla.ferris@fcc.gov'; 'John Williams'; 'Linda Oliver'; 'Richard Welch'; 'john.Ingle@fcc.gov'; 'Randolph Smith'; 'Pamela Arluk'; 'Jay Keithley'; 'eric.botker@fcc.gov'; 'ray@grimes4law.com'
Subject: RE: AT&T & FCC --This 1995 FCC Order already establishes liability....

Deena

Yes, as mentioned plaintiffs will be uploading the request to the FCC server. Plaintiffs understand that it is done as a motion.

Thank you,
Al Inga
Group Discounts, Inc.

From: Deena Shetler [mailto:Deena.Shetler@fcc.gov]
Sent: Tuesday, January 19, 2016 4:56 PM
To: Al Inga; Brown, Richard
Cc: john.Ingle@fcc.gov; Ajit Pai; Jessica Rosenworcel; 'Robert McDowell'; 'Kay Richman'; Sharon Kelley; Jane Halprin; Julie Veach; KJMWEB@fcc.gov; 'Sharon Gillett';

MeredithAttwell.Baker@fcc.gov; Michael.Copps@fcc.gov; Jonathan.Adelstein@fcc.gov; Eddie.Lazarus@fcc.gov; 'Zachary Katz'; thomas.wheeler@fcc.gov; Mike ORIelly; Mignon Clyburn; Jessica Rosenworcel; robert.ratcliffe@fcc.gov; eric.botker@fcc.gov; Jane Halprin; Julie Veach; Kay.Richman@fcc.gov; KJMWEB@fcc.gov; Matthew Berry; robert.ratcliffe@fcc.gov; Sharon Kelley; Tom Wheeler; Suzanne Tetreault; David Gossett; Jennifer Tatel; Karen.onyeue@fcc.gov; Stephanie Weiner; Madelein.findley@fcc.gov; Jim Bird; Jamilla.ferris@fcc.gov; John Williams; Linda Oliver; Richard Welch; john.Ingle@fcc.gov; Randolph Smith; Pamela Arluk; Jay Keithley; eric.botker@fcc.gov; ray@grimes4law.com; Pamela Arluk
Subject: RE: AT&T & FCC --This 1995 FCC Order already establishes liability....

Requests for the Commission to take an action in this proceeding such as suspending current proceedings should be made in a filing with the Commission in the Docket of the proceeding.

Deena Shetler

From: Al Inga [<mailto:ajidmm@optonline.net>]
Sent: Tuesday, January 19, 2016 3:58 PM
To: Brown, Richard <rbrown@daypitney.com>
Cc: Deena Shetler <Deena.Shetler@fcc.gov>; john.Ingle@fcc.gov; Ajit Pai <Ajit.Pai@fcc.gov>; Jessica Rosenworcel <Jessica.Rosenworcel@fcc.gov>; 'Robert McDowell' <Robert.McDowell@fcc.gov>; 'Kay Richman' <Kay.Richman@fcc.gov>; Sharon Kelley <Sharon.Kelley@fcc.gov>; Jane Halprin <Jane.Halprin@fcc.gov>; Julie Veach <Julie.Veach@fcc.gov>; KJMWEB@fcc.gov; 'Sharon Gillett' <Sharon.Gillett@fcc.gov>; MeredithAttwell.Baker@fcc.gov; Michael.Copps@fcc.gov; Jonathan.Adelstein@fcc.gov; Eddie.Lazarus@fcc.gov; 'Zachary Katz' <Zachary.Katz@fcc.gov>; thomas.wheeler@fcc.gov; Mike ORIelly <Mike.ORIelly@fcc.gov>; Mignon Clyburn <Mignon.Clyburn@fcc.gov>; Jessica Rosenworcel <Jessica.Rosenworcel@fcc.gov>; robert.ratcliffe@fcc.gov; eric.botker@fcc.gov; Jane Halprin <Jane.Halprin@fcc.gov>; Julie Veach <Julie.Veach@fcc.gov>; Kay.Richman@fcc.gov; KJMWEB@fcc.gov; Matthew Berry <Matthew.Berry@fcc.gov>; robert.ratcliffe@fcc.gov; Sharon Kelley <Sharon.Kelley@fcc.gov>; Tom Wheeler <Tom.Wheeler@fcc.gov>; Suzanne Tetreault <Suzanne.Tetreault@fcc.gov>; David Gossett <David.Gossett@fcc.gov>; Jennifer Tatel <Jennifer.Tatel@fcc.gov>; Karen.onyeue@fcc.gov; Stephanie Weiner <Stephanie.Weiner@fcc.gov>; Madelein.findley@fcc.gov; Jim Bird <Jim.Bird@fcc.gov>; Jamilla.ferris@fcc.gov; John Williams <John.Williams2@fcc.gov>; Linda Oliver <Linda.Oliver@fcc.gov>; Richard Welch <Richard.Welch@fcc.gov>; john.Ingle@fcc.gov; Randolph Smith <Randolph.Smith@fcc.gov>; Pamela Arluk <Pamela.Arluk@fcc.gov>; Jay Keithley <Jay.Keithley@fcc.gov>; eric.botker@fcc.gov; Deena Shetler <Deena.Shetler@fcc.gov>; ray@grimes4law.com; Pamela Arluk <Pamela.Arluk@fcc.gov>
Subject: FW: AT&T & FCC --This 1995 FCC Order already establishes liability....

Deena--- Please Temporarily suspend FCC proceedings. Plaintiffs will upload to the FCC server.

The attached letter was emailed from my counsel Ray Grimes to AT&T's counsel Richard Brown.

It details how the FCC's Order released Oct 23rd 1995 **ALREADY Establishes Liability** for both plaintiffs Jan 1995 traffic transfer complaint and plaintiffs supplemental complaint regarding the unlawful June 1996 penalty infliction.

It is conclusive that AT&T was **already under an FCC Order in 1995** which AT&T agreed to continue adhering to the pre June 17th 1994 Discontinuance w/o liability provision, so plaintiffs plans were immune from shortfall charges.

AT&T appealed Judge Politan's **March 1996** Decision on the grounds of **primary jurisdiction** and continued to assert its sole fraudulent use defense. However the FCC had already issued an Order **Oct 23rd 1995** over 5 months earlier in which agreed to continue grandfathering plans from the shortfall charges.

AT&T asserted to Third Circuit and FCC in 1996 that AT&T suspected it would be deprived of shortfall charges under AT&T sole defense of fraudulent use (2.2.4); but AT&T had already conceded under the 1995 FCC Order there would be no shortfall charges!

Since the 1995 FCC Order already addresses both the traffic transfer and penalty infliction complaints, temporarily suspend FCC proceedings until Judge Wigenton provides her decision to lift the stay and go to damages.

Thank you
Al Inga

From: Raymond Grimes [<mailto:ray@grimes4law.com>]
Sent: Tuesday, January 19, 2016 2:57 PM
To: rbrown@daypitney.com
Cc: AJDMM@OPTONLINE.NET
Subject: FW: Al Inga Ray to Richard Brown 11815 (2)

Mr. Brown,

Please see attached.

Raymond Grimes, PC
1367 Route 202 North
Neshanic Station, NJ 08853
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908.371.1076 Fax



LIFE MEMBER
MILLION DOLLAR ADVOCATES FORUM
The Top Trial Lawyers In America™



**TOP 100 LITIGATION LAWYER
IN NEW JERSEY**

Plaintiffs respectfully request that the motion be granted.

Respectfully Submitted,
One Stop Financial, Inc.
Winback & Conserve Program, Inc.
Group Discounts, Inc.
800 Discounts, Inc.
/s/ Al Inga
Al Inga President