

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of) **CG Docket No. 02-278**
)
Rules and Regulations Implementing)
)
the Telephone Consumer Protection)
)
Act of 1991)

**Addendum to Attorney Demands Half A Million Dollars for Comments Filed With
the FCC**

In reference to my comment filed with the Commission on 11/25/15, I respectfully submit this addendum.

The attorney(s) for Ultimate Vacation Group LLC (“Ultimate”) who is responsible for making hundreds of thousands of sham political survey robocalls to consumers cell phones on behalf of Caribbean Cruise Line Inc. have followed through with their threat and filed their frivolous lawsuit¹ against me in retaliation for my comments filed with the Commission on 06/30/15 that dealt with the fabricated consent produced by Ultimate and Jeremy Saenz and Jason Wagner in the 2nd lawsuit I had to file for sham political survey robocalls to my cell phone number.

It is painfully clear that Ultimate and Ultimate’s current attorneys Jeremy Saenz and Mitchell Roth intention is to retaliate and punish me for exercising my freedom of speech and exposing Ultimate and Ultimate’s attorneys fabrication of consent. The suit filed against me is clearly frivolous as the documents filed with the FCC have never been marked as confidential and therefore were never afforded confidential treatment according to the Agreed Protective Order filed with the court in the case.

What is ironic is the fact that businesses can come running to the FCC when they get sued for violating the TCPA but when a consumer who posts comments here gets sued for exercising their freedom of speech that consumer has nowhere to turn to and is left out in the cold. As a 65 year old retired and disabled person living off of social security I am financially unable to come up with the thousands of dollars it would take to hire an attorney.

¹ Ultimate Vacation Group LLC v. Joe Shields, Cause No. 1071453, County Civil Court at Law #4, Harris County, Texas filed by Jeremy Saenz with co-counsel Mitchell Roth

Further, the lawsuit was specifically filed in state court so that Ultimate can use the typical local prejudice of state court to their advantage against those left to defending themselves. I might have a chance in federal court on an anti-SLAPP motion to dismiss but in state court local prejudice and local influence that benefits businesses, including businesses with reputations of violating consumer protection laws and fabricating evidence, will prevail over justice and any real merits of a case.

My comment(s) filed with the FCC were an exercise of my constitutional right to participate in a federal proceeding. It is a down right shame that commentators like me can be subjected to such harassment, retaliation and attempts to silence participation. It is no wonder so few consumers file comments with the FCC when consumers are faced with the very real possibility of facing a frivolous law suit and financial ruin for exercising their right to free speech.

I would like very much to continue filing comments with the FCC but given the penchant of businesses to punish negative commentators, I feel it would be best if I keep from exposing myself and my family to any more harassment and retaliation that we are already subjected to by Ultimate and Ultimate's attorneys Jeremy Saenz and Mitchell Roth.

I truly appreciate the many times the FCC has cited my comments and I am deeply saddened by the fact that unless circumstances change I can no longer participate in these proceedings.

Respectfully submitted,

_____/s/_____

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