

Jan 30th, 2008

Commission's Secretary  
Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> 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

Dear Mr Richard H. Brown

As petitioners designated contact person it is requested that you contact the following AT&T counsel that are listed as contributors to AT&T's sanctions request against both the 06-210 petitioners and Al Inga personally.

Besides you those AT&T counsels are:

Paul K. Mancini  
Gary L. Phillips  
Peter H. Jacoby  
Joseph R. Guerra

Item I:

Petitioners would like AT&T to withdraw its sanctions request against Mr. Inga personally.

AT&T has stated:

It is perfectly clear that the petitioners in this proceeding and Tips Marketing are mere alter egos of Mr. Inga. *See infra* pp. 10-11. Accordingly, **AT&T has dispensed with any pretext that petitioners and Tips Marketing are distinct legal entities** operating for their own (as opposed to Mr. Inga's) interests and refers instead to Mr. Inga directly.

AT&T has offered absolutely no evidence to the FCC in any way shape of form that would pierce the corporate veil of the corporations involved in the FCC proceedings. Whether Tips or Petitioners have one employee or ten thousand employees, under the law these are separate legal entities. AT&T cannot arrogate to itself the power to pierce the corporate veil. A single shareholder company has as much right to the limited liability protection of the corporate form of business as the largest corporations. This is yet another demonstration of the maliciousness with which AT&T is pressing its case.

Therefore petitioners and Mr Inga personally would ask that each AT&T counsel contributor to AT&T's sanctions request decide whether he wishes to continue with seeking sanctions against the non party Mr Inga. Mr Brown, bringing claims against non parties is a very serious ethics violation and we ask AT&T to review its actions and drop its sanctions request against Mr Inga.

Item II)

Please again review AT&T's FCC statement in seeking sanctions:

In his accompanying March 16th letter to the Commission, Mr. Inga states that he was "a former Enrolled Agent (EA) of the United States Treasury Department and thus a top tax law specialist." *See* Ex-Parte Comments of Tips Marketing Services, Corp. Regarding Internal Revenue Service Primary Jurisdiction Referral to FCC In Support of Petitioner's Declaratory Ruling Request (March 16, 2007) ("March 16 Ex-Parte Comments") at 1. **As such, Mr. Inga** **“presumably knew people” who worked at the IRS in New Jersey, where he resides.** It is **simply inconceivable** that anyone other than Mr. Inga would have "walked into the Mountainside NJ Internal Revenue Service Taxpayer Service Office" and asked someone to fax this letter.

Now that:

1) the IRS has issued an apology letter to the FCC for its employees issuing the FCC referral letters and 2) there has been zero indication that Mr Inga easily obtained the FCC referral due to AT&T's presumption that it was a favor to Mr Inga from an IRS "friend" employee...

We ask that each of the AT&T contributing counsel to the AT&T sanctions motion issue an apology to Mr Inga and that AT&T notify the FCC that it does not wish to rely upon this lie.

Item III)

AT&T filed three sanctions motions. AT&T introduced within the second sanctions filing that Mr Inga made “repeated visits” during the day to IRS agent Ms Russell until she finally relented and did the FCC referral. It is very odd that such a fact as repeatedly visiting the same person throughout the day would have been left out of the first sanctions motion. AT&T simply felt it needed to embellish the second sanctions filing. When Tips Marketing indicated that the time line between the IRS lobby sign in and the IRS fax time stamp indicated about 30 minutes, showing AT&T’s “repeated visit” lie was impossible, AT&T in its 3<sup>rd</sup> sanctions motion supplement dropped its “repeated visit” lie.

The most fascinating aspect of the “repeated visits” lie is that it is opposite AT&T’s position that the FCC referral was obtained so easily based upon AT&T’s presumption that Mr Inga as a former Enrolled agent--- 20 years ago--- still had “friends” and this is why he got the FCC referral done so easily.

We ask each of the AT&T counsel that have contributed to AT&T’s sanctions motion to issue an apology to Mr Inga and to advise the FCC that AT&T will not rely upon its “repeated visits” lie.

Item IV)

The AT&T counsels involved on Item IV include

James F. Bendernagel, Jr.  
C. John Buresh  
Michael J. Hunseder  
David W. Carpenter  
Peter H. Jacoby  
Aryeh S. Friedman  
Lawrence J. Lafaro

The above AT&T counsel on April 1<sup>st</sup> 2004 brief contributed to the below lie which is explained in depth in petitioners 9/20/07 FCC filing.

On April 1<sup>st</sup> 2004 AT&T advised the DC Court within AT&T’s brief on page 9 that

“AT&T denied this second proposed transfer to PSE on January 27<sup>th</sup> 1995”.

AT&T intentionally made up this date as a notification to deny the account transfer date within its April 1<sup>st</sup> 2004 brief to the DC Court because it was within the statutory 15 day requirement under section 2.1.8.

The made up date of Jan 27<sup>th</sup> 1995 was within 15 days of the Jan 13<sup>th</sup> 1995 order submission found at exhibit F in petitioners 9/27/06 FCC filing. However if you take a look at exhibit X in petitioners 9/27/06 FCC filing you will see that the date of AT&T's first letter from AT&T counsel Frederick L. Whitmer is **February 6<sup>th</sup> 1995.** The February 6<sup>th</sup> 1995 letter was not a denial letter. It was a warning letter. AT&T simply lied to the DC Circuit on April 1<sup>st</sup> 2004.

Mr Brown, petitioners request that each of the above AT&T counsel associated with the April 1<sup>st</sup> 2004 AT&T filing are contacted and request that each provides a written apology for the lie, otherwise we will assume each of the counsels stands behind the April 1<sup>st</sup> 2004 statement. April Fools day is not an excuse to intentionally lie to the DC Circuit.

Item V)

In March of 1996 during NJ District Court oral argument AT&T was represented by Richard H Brown, Edward R. Barillari and Frederick L Whitmer before Judge Politan.

The evidence shows that AT&T former counsel Fred Whitmer intentionally lied to Judge Politan in March 1996 to intentionally delay the case. Mr. Whitmer lied to Politan stating our case issue was still pending at the FCC.

The evidence presented in May 2007 to the FCC shows that Mr Whitmer during the same March 1996 District Court oral argument hearing directed the Court's attention to a certification of his co-counsel Richard Meade, in which Meade's certification ( para 16) confirmed that the issue was prospective only and would not affect petitioners. Transmittal 9229 was not pending before the FCC; as it went into affect 5 months earlier in November 1995. Mr Whitmer simply lied to the NJ District Court in an attempt to delay the case.

We have come to learn that Mr Whitmer left Pitney Hardin (now Day Pitney) for Thelen Reid Brown Raysman & Steiner LLP. However Mr Whitmer's, co counsels in Court that day (Mr Edward R. Barillari and Mr. Richard H. Brown) are still representing AT&T and did not offer to correct Mr Whitmer's multiple lies to Judge Politan that the case issue was still pending at the FCC.

We ask that AT&T apologize on behalf of its then counsel Mr Whitmer, for his lie to the NJ District Court or have Mr Whitmer review his March 1996 statements and provide his own reason why he lied to Judge Politan.

Mr Brown these are all extremely serious ethics violations you and AT&T's current and former counsels have engaged in. Petitioners would like to have these items addressed, in depth, to petitioners, Mr Inga, Tips Marketing, and the FCC by each AT&T counsel involved within the items listed. We would like to hear back from you by Friday as to whether each counsel will be responding.

Respectfully Submitted  
One Stop Financial, Inc  
Winback & Conserve Program, Inc.  
Group Discounts, Inc.  
800 Discounts, Inc  
Tips Marketing Services, Corp

/s/ Al Inga  
Al Inga President