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Contact Kylie Mason

Phone 850-245-0150

OFFICE OF THE ATTORNEY GENERAL STATE OF FLORIDA

Florida Attorney General's Office News Release

AG Moody and FTC Crackdown on Illegal Robocalls

TALLAHASSEE, Fla.—Attorney General Ashley Moody is once again cracking down on illegal robocalls in a new joint effort with the Federal Trade Commission and 25 other federal, state and local agencies. The crackdown targets illegal operations around the country responsible for more than one billion calls pitching a variety of products and services, including credit card interest rate reduction services, money-making opportunities and medical alert systems.

Attorney General Ashley Moody said, “This joint effort marks additional actions taken by my Office to thwart illegal robocalls—earlier this year, we urged Congress to enact the TRACED Act, and just last month, we advocated for the Federal Communications Commission to enforce rules against caller ID spoofing. It will take a massive collaborative effort to stop illegal robocalls, but we must continue to work together toward this end.”

The nationwide crackdown, Operation Call it Quits, involves more than 90 actions across the country to stop illegal robocalls. Included in this nationwide effort are actions taken by the Florida Attorney General’s Office against two separate robocall operations, Lifewatch, Inc. and Life Management Services of Orange County, LLC. Action taken by Florida in a third case against All Us Marketing, f/k/a Payless Solutions also resulted in the issuance of consumer refunds of $1,000 on average.

Lifewatch, Inc.

As part of the nationwide crackdown, the Florida Attorney General’s Office, along with the FTC, today announced the filing of a Stipulated Order for Permanent Injunction and Monetary

Judgment against the following Lifewatch defendants: Lifewatch, Inc., Evan Sirlin, Safe Home Security, Inc., MedGuard Alert, Inc., David Roman and Mitchel May.

The complaint against these defendants, originally filed June 30, 2015 in the U.S. District Court for the Northern District of Illinois, alleges that Lifewatch Inc., bombarded seniors with unsolicited robocalls, often to listings on the Do Not Call Registry, and typically used fake caller ID information. The calls used pre-recorded messages, including one supposedly from "John from the shipping department of Emergency Medical Alert," to falsely tell consumers that a medical alert system had been purchased for them and that they would receive it "at no cost to you whatsoever." The operation even used the well-known phrase "I've fallen and I can't get up." Despite the promises of a free product, consumers were held responsible for monthly monitoring fees ranging from $29.95 to $39.95. To view the complaint, click here.

The Stipulated Order, filed yesterday, permanently bans the Lifewatch defendants from telemarketing, initiating robocalls, calling numbers on the National Do Not Call Registry, and engaging in abusive telemarketing and abusive caller ID practices. Additionally, the Stipulated Order includes a monetary judgment of $25,266,866 against defendants Lifewatch, Inc. and Evan Sirlin, and monetary judgment of $8,943,416 against defendants Safe Home Security, Inc., MedGuard Alert, Inc., David Roman and Mitchel May. The Stipulated Order requires the Lifewatch defendants to pay $2 million within one year of entry of the order. Once the payment of $2 million is received, the remainder of the monetary judgment will be suspended.

Life Management Services

The Florida Attorney General's Office, along with the FTC, filed a complaint in 2016 in the U.S. District Court for the Middle District of Florida against Life Management Services of Orange County, LLC, its ringleader Kevin Guice, and 19 other defendants, who collectively inundated consumers with illegal robocalls in an attempt to sell bogus credit card interest-rate-reduction services. The defendants guaranteed that consumers could substantially and permanently lower credit card interest rates and save thousands of dollars in interest payments. Consumers made up-front payments but rarely, if ever, got the promised services. The complaint also alleges that the defendants used illegal robocalls to pitch a bogus credit card debt-elimination service.

The court order announced today permanently bans 17 Life Management defendants from engaging in telemarketing and debt relief services. It also imposes a judgment of more than $23 million against the defendants, which will be suspended as to 13 of the defendants after they comply with the monetary obligations set forth in the respective stipulated judgments. The order also resolves the claims against two other defendants who were not directly involved in the scheme but benefitted from it financially. The court previously entered a permanent injunction and $23 million judgment against scheme leader Kevin Guice in December 2018. To view the order, click here.

All Us Marketing/Payless

In May 2019, the Florida Attorney General's Office and the FTC issued checks totaling $314,945 to consumers, many of whom were seniors, in a third robocalling case against All Us Marketing, LLC, f/k/a Payless Solutions, LLC. Consumers each received, on average, more than $1,000.

The company and its affiliates bombarded consumers with massive robocall campaigns designed to trick them into paying up-front fees for worthless credit card interest rate reduction services.

In 2015, the Attorney General's Office and the FTC sued 18 defendants involved in this scheme. To view the complaint, click here. In 2017, the Attorney General's Office and the FTC obtained monetary judgments against 15 of the defendants for $4,890,797, and $338,369 against the remaining three defendants. Permanent injunctions against telemarketing, making robocalls and offering debt-relief products or services were entered against all of the defendants. Additionally, two defendants were required to sell luxury vehicles and surrender proceeds.

To view the Stipulated Orders, click here.

To view the Court Order, click here.

In addition to these joint actions undertaken by the Florida Attorney General's Office and the FTC, the following agencies also announced various enforcement actions as part of this nationwide crackdown: the Attorneys General Offices of Alabama, Arizona, Colorado, Illinois, Indiana, Michigan, Missouri, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Texas, and Virginia; the Consumer Protection Divisions of the District Attorneys for the Counties of Los Angeles, San Diego, Riverside, and Santa Clara, California; the Florida Department of Agriculture and Consumer Services; and the Los Angeles City Attorney. In addition, the United States Attorneys' Offices for the Middle District of Florida, Northern District of Georgia and Southern District of Texas, with support from the Treasury Inspector General for Tax Administration, have contributed five criminal actions.