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May 6, 2010

**VIA FIRST CLASS MAIL &  
FACSIMILE**

Mr. David M. Fox  
Consumer Protection Division  
North Carolina Department of Justice  
9001 Mail Service Center  
Raleigh, NC 27699

Re: Multiplex Systems, Inc. ("Multiplex")  
Mr. Stephen Barrett Telemarketing Complaint (the "Complaint")  
File No. 1004239

Dear Mr. Fox:

This law firm represents Multiplex in connection with the above-referenced matter. Accordingly, kindly direct any and all future communication or correspondence regarding this matter to the attention of the undersigned at the above address. We are in receipt of your correspondence dated April 16, 2010 and write in response thereto.

We understand from our client that Multiplex is a New York State corporation which develops, and licenses to its customers, certain computer software programs which perform searches of publicly available information on the internet to compile lists of names and contact information which can thereafter be used to make sales calls (the "Programs"). Whenever a new customer of Multiplex utilizes the Programs they are presented by Multiplex with the option of excluding any numbers which may be provided by the Programs which appear on the FTC Do Not Call List (the "List"). Each individual customer, in its sole discretion, has the option of activating this feature and thus "scrubbing" any names appearing on the List from the results they receive from the Programs.

Moreover, when the Programs are utilized to make sales calls, the recipient of the call is greeted with a pre-recorded message system which allows them to press a certain number to indicate that they are not interested and should be taken off the call list that resulted in the call. If the call recipient exercises this option, their name and information is automatically removed from the call list of the particular customer of Multiplex which made the call. The possibility of a single individual

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receiving multiple calls from Multiplex customers, as alleged in the Complaint, arose because exercising the option to be removed from the call list previously only removed that individual from that respective call list and not from every call list of all of Multiplex's customers.

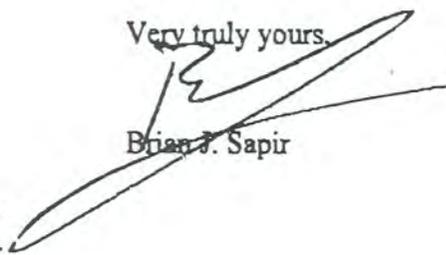
After receiving your correspondence, and in the hopes of remedying the situation, Multiplex, at its sole expense, immediately purchased and installed new programming which will now cross-reference all of its customer's call lists. Therefore, if an individual receives a phone call from a customer utilizing the Programs and indicates that they wish to be removed from the call list, this new programming will remove such individual from each and every call list of all of Multiplex customers utilizing the Programs. In effect, instead of having to receive multiple calls and ask to be removed each time, a call receiver who wishes to be removed only has to request so once. You may contact Mr. Bill Sargent from Voice Broadcasting Corp. (817-462-0797, [ben@voicebroadcasting.com](mailto:ben@voicebroadcasting.com)), the company which developed and installed this new programming, to confirm its installation and effect.

Without admitting or conceding any wrongdoing or liability, it is Multiplex's belief and intention that the installation of this new programming shall effectuate the outcome Mr. Barrett seeks in the Complaint, namely "to set up some type of screen to prevent any single business from receiving multiple calls." Therefore, as the Complaint was the first time Multiplex ever received any such notice that the Programs were unintentionally causing multiple calls to the same individuals, and as Multiplex took immediate action to remedy same, we believe that no further action is required in this matter.

The foregoing is not intended as a complete recitation of all of the facts and circumstances in this matter and is written without prejudice to any of our client's rights or remedies, whether legal or equitable, all of which are hereby expressly reserved.

Of course, should you wish to discuss this matter further, please do not hesitate to contact us.

Very truly yours,



Brian J. Sapir

cc: Terrence A. Oved, Esq.  
Multiplex Systems, Inc.