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Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In re the Matter of

FAIR POLITICAL PRACTICES COMMISSION
CASE NUMBER 18/336.

DECLARATION OF CONRAD J. BRAUN

I, Conrad J. Braun, declare as follows:
1. I was the owner of HomeyTel Network from 2004 until 2017. My wife, Eunice Verdugo, is the current owner. My current role is a consultant for HomeyTel and I manage the day to day operations. Our company specializes in “voice broadcasting,” including reverse polling, telephone town hall meetings, and live and recorded political robo-calls.
2. HomeyTel is not responsible for any derogatory political robo-calls about candidate Phillip Graham.
3. On or about May 30, 2018, I began receiving numerous voicemails from parties who had received derogatory political robo-calls. Some of these voicemails made reference to “Phil Graham” and/or “Jennifer Jones” indicating to me that they were responding to a derogatory political robo-calls about California Assembly candidate Phillip Graham and calling our main business number 619-223-1022. The caller identification for the incident involving Philip Graham read: “619-223-1022 HomeyTel Conrad Braun.”
4. On May 31, 2018 I emailed the Phil Graham campaign on their website outlining the situation and indicating we did not make the calls and offered to assist in any way possible. Shortly after I was also contacted by Mr. Grahams attorney, Brian Hildreth, and provided with a “Cease and Desist” letter alleging that HomeyTel had engaged in “an adverse, widespread and illegal robocall program” involving State Assembly candidate Philip Graham. (Exhibit A) I immediately emailed Mr. Hildreth and informed him we did not make the calls but someone was using our main business as the caller ID. Mr. Hildreth was very understanding. He asked that I file a criminal complaint with the San Diego District Attorney’s Office. That office transferred me to the FTC where I filed complaint number 96279373.

5. The main telephone line for HomeyTel is not used to make recorded political robo-calls. I only use the main HomeyTel phone number when I am trying to solicit new business. My business practice is to use caller IDs such as “Vote California” or “Vote USA” when making political robo-calls. I have provided a list of the caller ID numbers and names HomeyTel has used in the past when making robo-calls. (Exhibit B)

6. I was previously a victim to a similar scheme. In November 2016, there was an incident where an unidentified person or persons falsified the caller identification for a robo-call to appear as if the origin was HomeyTel Network. During that incident, I received voicemails related to those calls. The “spoofed” robo-calls were regarding the November 2016 Mayor’s race for Encinitas involving candidates Paul Gaspar and Catherine Blakespear.

7. For the period of May 30, 2018 through May 31, 2018, HomeyTel only made calls on behalf our client named “Baker.” The 3000+ robo-calls made during this timeframe were related to business insurance and were not political in nature. HomeyTel did not make any robo-calls on May 29, 2018.

8. I have also filed a report with the Federal Trade Commission (FTC) regarding the “spoofing” of HomeyTel’s business phone number to make the Philip Graham political robo-calls. The FTC case number is 96279373.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on June 13, 2018 at San Ysidro, California.

Conrad J. Braun