

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: *Best Insurance Contracts, Inc., and Philip Roesel, dba Wilmington Insurance Quotes*, File No.: EB-TCD-16-00023195.

Have you ever taken your kids (or maybe a niece or nephew) to play Whac-A-Mole down at the local arcade? I pose this question for two reasons: One, because it is hard to believe this game has been around for 40 years and two, when it comes to stopping illegal robocalls, the execution is very similar: as soon as you stop one, another pops right back up.

In June, this agency levied its largest fine in history when we adopted a \$120 million Notice of Apparent Liability (NAL) against an individual who made nearly 100 million spoofed robocalls. Today, we issue an NAL for \$82.1 million against Best Insurance Contracts, Inc. (BIC) and Philip Roesel who apparently made more than 21 million spoofed robocalls over a three-month period.

While the circumstances in each differ slightly, at the crux of both allegations are an intent to cause harm and/or wrongfully obtain anything of value with misleading or inaccurate caller ID information. As the NAL directly notes, “harm” should be broadly interpreted to encompass “financial, physical and emotional” impairment.

The consumer harm from the flood of robocalls is very significant and real. The disruption to emergency medical paging service used by the staff of Palmetto Health in my second hometown of Columbia, South Carolina adversely harmed their emergency communications between doctors, EMTs, and other first responders and could have risked lives.

Just as alarming as it is heartless, by whistleblower accounts, is how this robocall scheme directly and systematically targeted three of the most vulnerable populations: the elderly, the infirmed and poor people. In fact, Mr. Roesel is reported to have told one of his former employees, “the dumber and more broke, the better.” This attributed, unconscionable statement is among the many reasons I support today’s action and the significant financial penalty associated with it.

My thanks as always, to the staff of the Enforcement Bureau for your continuing efforts to stop illegal robocalls for good and for sending out a strong signal that these types of practices should be whacked.