

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington D.C. 20554**

In the Matter of	)	)
Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991	)	CG Docket No. 02-278
Advanced Methods to Target and Eliminate Unlawful Robocalls	)	CG Docket No. 17-97
Call Authentication Trust Anchor	)	WG Docket No. 17-97
Dismissal of Outdated or Otherwise Moot Robocalls Petitions	)	CG Docket No. 25-307

**COMMENTS OF R.E.A.C.H.**

Responsible Enterprises Against Consumer Harassment, Mutual Benefit Corporation (R.E.A.C.H.), on behalf of its direct-to-consumer marketing, lead generation, and performance marketing members, thanks the Commission for the opportunity to comment on the important issue of TCPA Reform<sup>1</sup>. These comments focus on the critical issue of how consumers may revoke consent to receive calls<sup>2</sup>, and the need to address the wave of frivolous litigation that has resulted from the Commission rules.

For the reasons set forth below, R.E.A.C.H. suggests the Commission:

1. Retain its current abandonment limits to prevent abusive calls to consumers;

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<sup>1</sup> Ninth Further Notice of Proposed Rulemaking in CG Docket No. 17-59; Seventh Further Notice of Proposed Rulemaking in WC Docket No. 17-97; Further Notice of Proposed Rulemaking in CG Docket No. 02-278; (“9th FNPRM”); Public Notice in CG Docket No. 17-59; WC Docket No. 17-97; CG Docket No. 02-278 (rel. Dec 8, 2025) (“Notice”).

<sup>2</sup> In the interest of concision and readability, these comments focus on the questions posed in the 9<sup>th</sup> FNPRM at ¶103-104. Other R.E.A.C.H. comments will focus on other questions posed in the 9<sup>th</sup> FNPRM as appropriate to the subject matter addressed.

2. Modify proposed revocation rules to reject upcoming “nuclear” opt-out requirements that work against businesses and consumers alike;
3. Clarify a business may specify reasonable revocation methods a consumer can use, and if such a revocation method is established, the consumer must use such means to effectively revoke consent;
4. Clarify that legacy prerecorded voice calls must continue to provide meaningful caller identification, and that any modernization of caller identification requirements should preserve consumers’ ability to readily understand who is calling, while maintaining appropriate safeguards against abuse;
5. Ensure that any expansion of verified caller identity frameworks is accompanied by scalable minimum verification standards and robust privacy protections, so that identity signals do not mislead consumers and sensitive communications remain appropriately protected; and
6. Encourage—but not mandate—the secure transmission of caller identity information, including through Rich Call Data, while prioritizing standardization, interoperability, cost containment, and competition.

**I. Abandonment Rules Are Still Needed and Provide Critical Protections for Consumers**

R.E.A.C.H. is an organization of “good actors” within the lead generation and marketing industries who want to see consumers protected from abusive calling practices assuring a healthy telecom environment wherein consumers are no longer afraid to answer their phones.

The Commission’s current abandonment rules provide an important brake on abusive calling practices by assuring no more than three percent of all marketing calls can be abandoned

over the course of a campaign.<sup>3</sup> This limitation requires telemarketers to assure their line assignments—the number of calls they attempt per agent—are set to a level that only a limited number of calls are dropped each hour. This assures calling practices are limited in a manner closely related to the number of agents actually available to field calls.

Removing the abandonment rules will allow bad actors to disregard consumer preferences and set line assignments extremely high to assure their agents are busy at all times and without regard to the number of agents available to field calls. For instance a bad actor might set their line assignment to 50, or even 100, blasting out dozens of attempted calls every time its system “predicts” an agent might be available. This is so because it has no incentive not to—abandoned calls cost it nothing and the more calls it attempts the higher the likelihood its agents stay fully engaged, which is one of the primary performance metrics used by call centers.

While good actors and consumer-facing brands will be unlikely to abuse consumers in the absence of abandonment rules—these companies will be responsible in the marketplace to consumer opinions about their calling cadences and act accordingly—lead generators and third-party call centers (who rarely identify themselves to consumers) will have no incentive to act responsibly. They will bust consumers to assure their agents stay busy and their revenue targets are met. And good actors will lose traction in the marketplace.

Indeed an erosion of abandonment rules creates the perfect “race to the bottom” scenario where good actors will suddenly feel the pull to act irresponsibly as they see peer institutions profiting from newly-legal (but abusive) conduct trade organizations like R.E.A.C.H. stand against. This risks eroding the fabric of self-regulation in the marketing and lead generation industry—a very undesirable outcome for consumers and businesses alike.

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<sup>3</sup> 47 CFR § 64.1200(a)(7)

## II. The Commission’s Forthcoming “Nuclear Revocation” Rule Must Be Withdrawn

Effective April 11, 2026, American businesses face a massive change in how TCPA revocation rules are presently enforced.

Under current law, a consumer’s effort to revoke consent works only for a certain channel (i.e. SMS or voice) and only for a particular purpose.<sup>4</sup> This is consistent with consumer expectation. When a consumer responds “STOP” to a text message from a company he or she does not expect that company to also lose the right to call. And when the consumer says “STOP” regarding one purpose—such as a debt collection call, promotional notification, or order confirmation—the consumer is not signaling an intent to never hear from the business again for any purpose.

The FCC’s proposed rule change<sup>5</sup> would alter these predictable outcomes in a manner that would work violence to consumer expectations and business needs alike. Under the new rules a “stop” request made to a fraud notification would mean the business could never contact the consumer’s cell phone again using regulated technology for *any* purpose across *any* channel and across *all* business lines.

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<sup>4</sup> See *Michel v. Credit Prot. Ass ’n, L.P.*, No. 14-cv-8452, 2017 WL 3620809, at \*5 (N.D. Ill. Aug. 23, 2017) (finding that when the plaintiff revoked consent, the TCPA required the defendant only to refrain from making autodialed voice calls regarding a specific creditor’s debt, thereby limiting the effect of revocation to the particular method of communication and purpose for which consent had been given); see also *Barton v. Walmart Inc.*, No. 23-5063 DGE-RJB, 2024 WL 1533579, at \*6 (W.D. Wash. Apr. 9, 2024), aff’d, No. 24-2649, 2025 WL 2977820 (9th Cir. Oct. 22, 2025) (holding that the plaintiff’s “STOP” response to defendant’s telemarketing solicitations did not revoke consent for subsequent text messages sent for unrelated, non-telemarketing purposes).

<sup>5</sup> Rules and Regulations Implementing the Tel. Consumer Prot. Act of 1991, Report and Order and Further Notice of Proposed Rulemaking, FCC 24-24, app. A at 20 (Feb. 16, 2024) (“If a called party uses any such method to revoke consent, that consent is considered definitively revoked and the caller may not send additional robocalls and roboteletexts.”).

For instance if a consumer replied “STOP” to a fraud notification from a bank related to an deposit account activity (an exempted communication) the Commission’s proposed rule would require the bank to cease communication even if: i) the communication was by phone and not text; ii) the purpose of the message was unrelated to fraud; iii) the message was about an entirely different account; iv) the message was about an entirely different product (i.e. student loans.) This is a wildly unpredictable outcome for a consumer who, presumably, was simply trying to alert the bank no fraud had actually taken place on the account.

Other foreseeable examples of consumer harm can easily be conjured. A consumer responding “Stop” to a pharmacy refill notification related to one drug—perhaps because the consumer was en route to refill it—might lose access to critical communications related to *other* prescriptions. Similarly with other healthcare messages—a consumer saying “stop” related to one appointment would lose notifications related to any future appointment updates from that provider, in addition to countless other healthcare related messages *all* of which would become instantly illegal unless sent in inefficient manual fashion.

The net result is more pain for consumers and businesses alike. And there are no offsetting benefits. Because consumers do not expect a wide-ranging loss of communication from a single “stop” notification there is no salutary benefits here. No consumers expectations are being met from the new rule an the government is simply intruding deeply (and needlessly) into the relationship between a business and a consumer.

### **III. Other Revocation Rules Should Likewise be Modified to Discourage Abusive Opt-Out Evader Litigation.**

As the Commission has noted, the TCPA is “the poster child for lawsuit abuse<sup>6</sup>.” R.E.A.C.H. previously provided data on the flood of litigation from a single south-Florida law firm in its comments<sup>7</sup> and reply comments<sup>8</sup> on the “Quiet Hours” petition pending before the Commission. In the interest of protecting consumers, as well as helping businesses build banks of keywords and phrases that consumers may deem ‘reasonable means’ to opt-out, R.E.A.C.H. has also been tracking litigation related to alleged failures to honor “stop instructions” – whatever those instructions may be. Our research indicates that a large number of cases are based not on failures to honor requests using the words “stop,” “quit,” “end,” “revoke,” “opt out,” “cancel,” or “unsubscribe<sup>9</sup>,” but phrases designed to avoid detection. Instead of following instructions, and simply replying STOP, professional plaintiffs are using long-winded phrases that conspicuously avoid the word STOP. Some of the more egregious examples we have seen include: “*I do not wish to be contacted<sup>10</sup>*,” “*Do not send me anymore messages!!!!<sup>11</sup>*,” and “*Please do not write me again<sup>12</sup>*.” These are clearly attempts designed to evade detection, and R.E.A.C.H. has dubbed such cases “Opt-Out Evaders.”

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<sup>6</sup> Rules & Regulations Implementing the Telephone Consumer Protection Act of 1991, Declaratory Ruling and Order, CG Docket No. 02-278, 30 FCC Rcd 7961, 8073 (July 10, 2015) (dissenting statement of Commissioner Ajit Pai).

<sup>7</sup> R.E.A.C.H. Comments on ‘Quiet Hours’ Petition (April 11, 2025) at <https://www.fcc.gov/ecfs/search/search-filings/filing/1041116282907>

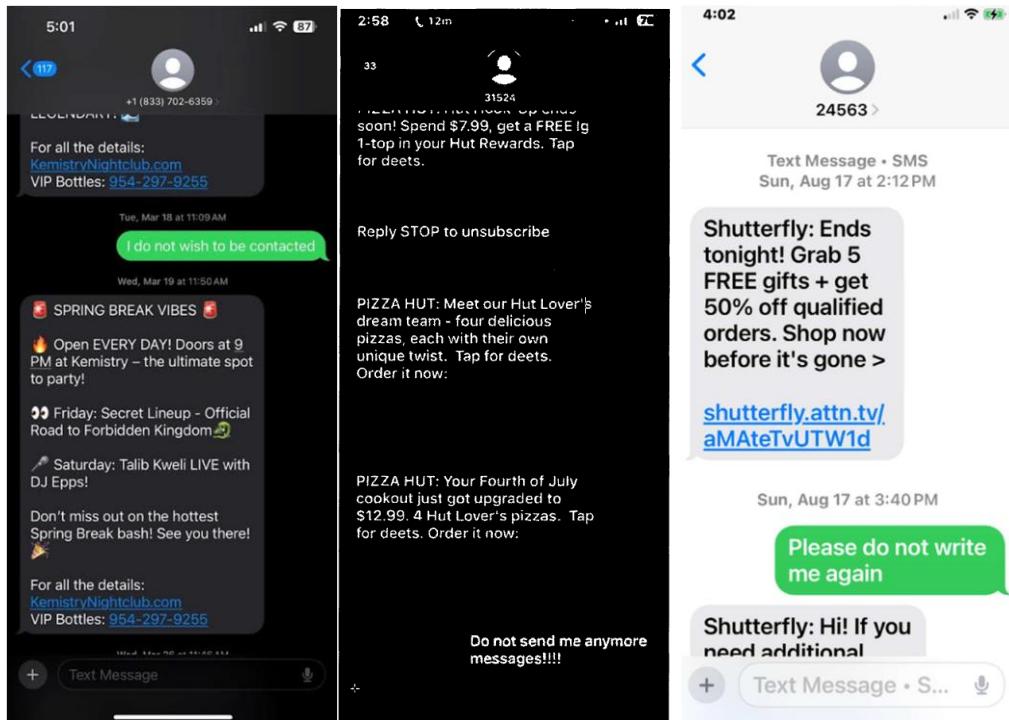
<sup>8</sup> R.E.A.C.H. Reply Comments on ‘Quiet Hours’ Petition (April 28, 2025) at <https://www.fcc.gov/ecfs/search/search-filings/filing/10426267919119>

<sup>9</sup> These are the keywords explicitly deemed “reasonable” by the commission at 47 CFR §64.1200(a)(10).

<sup>10</sup> *Rose v. 307 SW 2nd St*, No. 0:25-cv-61339 (S.D. Fla. July 1, 2025)

<sup>11</sup> *Valle v. Pizza Hut*, No. 1:25-cv-24561 (S.D. Fla. August 19, 2025)

<sup>12</sup> *Valle v. Shutterfly*, No. 1:25-cv-25150 (S.D. Fla. September 23, 2025)

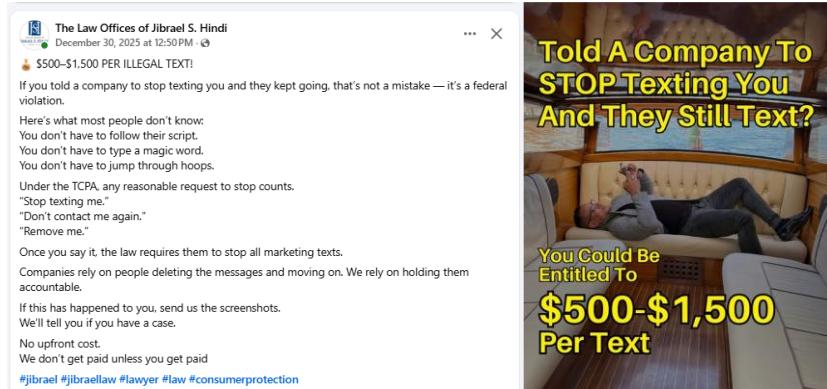


**Image 1: Screenshots From “Opt-Out Evader” Complaints**

Similar to the “Quiet Hours” cases, we have seen nearly one hundred “Opt-Out Evader” lawsuits filed since the Commission’s rules went into effect on April 11, 2025<sup>13</sup>. Initially, the cases filed included screenshots of the “stop instructions” used. However, when facing criticism for using esoteric terms that appeared to be designed to avoid detection, the firm stopped including the actual “stop instruction” used, and simply included vague statements that “*Plaintiff requested to opt-out of Defendant’s text messages by replying with a stop instruction.*” If Plaintiffs truly believe the “stop instruction” to be reasonable, why are they now being hidden from public view? Additionally, as demonstrated below, the firm itself advises individuals to ignore company-provided instructions and use alternate phrases like “*don’t contact me again*” and “*remove me*” –

<sup>13</sup> To illustrate the magnitude of abuse, and sheer volume of litigation, we have provided a summary of our analysis along with statistics on the ninety-four “Opt-Out Evader” cases in Appendix A.

phrases that conspicuously avoid the keywords specified by the Commission at 47 CFR §64.1200(a)(10)<sup>14</sup>.



### Image 2: Soliciting “Opt-Out Evaders<sup>15</sup>”

And this is no surprise. As our friends at the eCommerce Innovation Alliance (“EIA”) have pointed out, the firm is no stranger to ads promoting TCPA litigation<sup>16</sup>. We share the same concerns, that suits like these have nothing to do with consumer protection. It’s all about extorting settlements. By the firm’s own admission, after they file, they go straight to settlement.

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<sup>14</sup> [https://www.ecfr.gov/current/title-47/part-64#p-64.1200\(a\)\(10\)](https://www.ecfr.gov/current/title-47/part-64#p-64.1200(a)(10))

<sup>15</sup> <https://www.facebook.com/share/p/1DJ5H1DwAm/> last viewed January 2, 2026

<sup>16</sup> See EIA filings on the “Quiet Hours” Petition:

- “2025-04-10 Opening Comments on Petition.pdf” at <https://www.fcc.gov/ecfs/search/search-filings/filing/10410044455805>;
- “EIA Reply Comments in Support of Quiet Hours Petition.pdf” at <https://www.fcc.gov/ecfs/search/search-filings/filing/10425489512579>;
- “2025-06-12 Notice of Ex Parte Meetings.pdf” at <https://www.fcc.gov/ecfs/search/search-filings/filing/106120675222690>;
- “2025-09-11 Notice of Ex Parte Meetings.pdf” at <https://www.fcc.gov/ecfs/search/search-filings/filing/109112017011935>; and
- “2025-11-20 Ex Parte Filing.pdf” at <https://www.fcc.gov/ecfs/search/search-filings/filing/1120830830907>.

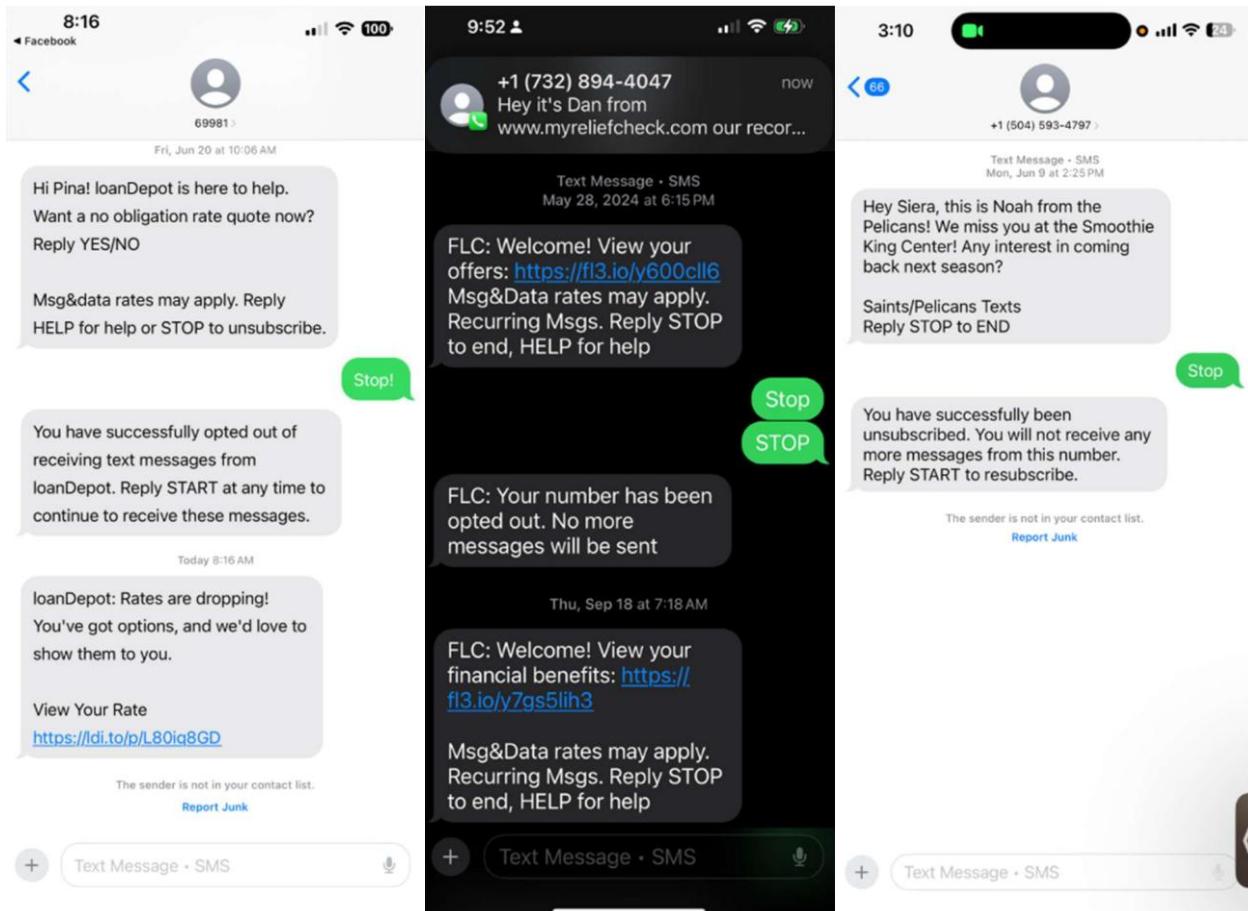


**Image 3: “After we file, we go straight to settlement<sup>17</sup>.”**

Further recognition that the keywords or phrases used in these “Opt-Out Evader” lawsuits are not reasonable, is the fact that when a plaintiff replies with “STOP” – the universally understood opt-out – the firm *does* include screenshots in the complaint. Recent examples from *Maes v. LoanDepot*, No. 5:25-cv-03237 (C.D. CA December 2, 2025), *Vattelle v. Freedom Lending*, No. 2:25-cv-18275 (D. NJ December 9, 2025), and *Gallien v. New Orleans Pelicans*, No. 4:25-cv-06013 (S.D. TX December 12, 2025) are provided below.

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<sup>17</sup> <https://www.facebook.com/share/p/1DJ5H1DwAm/> last viewed January 2, 2026



#### Image 4: STOP Screenshots Included In Complaints

One must ask, since screenshots are included here, why are the opt-outs in the other cases hidden from view?

And finally, in what appears to be one of the more egregious opportunists, five suits were filed on the same day, by the same plaintiff, all in the Central District of California. These rapid-fire, copy/paste complaints were filed so quickly that three are sequentially numbered on the docket! And four of them allege a “stop instruction” was sent on the *same day*!

Date Filed	Case	Plaintiff	Court	Case No.	"STOP" Instruction	Opt-Out Date
Nov 4, 2025	Botto v. BB Opco	Botto, Bridget	C.D. CA	2:25-cv-10572	<i>not disclosed in complaint</i>	Jun 25, 2025
Nov 4, 2025	Botto v. C. & J. Clark Retail	Botto, Bridget	C.D. CA	2:25-cv-10573	<i>not disclosed in complaint</i>	Jun 25, 2025
Nov 4, 2025	Botto v. Coty DTC Holdings	Botto, Bridget	C.D. CA	2:25-cv-10574	<i>not disclosed in complaint</i>	Jun 24, 2025

Nov 4, 2025	Botto v. Wilson Sporting Goods	Botto, Bridget	C.D. CA	2:25-cv-10598	<i>not disclosed in complaint</i>	<b>Jun 25, 2025</b>
Nov 4, 2025	Botto v. SLT Lending	Botto, Bridget	C.D. CA	2:25-cv-10602	<i>not disclosed in complaint</i>	<b>Jun 25, 2025</b>

**Table 1: “Opt-Out Evader” Filing Example<sup>18</sup>**

Viewing the data in this light, one cannot help but think that this individual is signing up for multiple text-message programs, for the sole purpose of sending an obfuscated opt-out request, that ignores any opt-out instruction provided by a business, which the plaintiff hopes will go undetected, and will allow the plaintiff to file frivolous lawsuits like the above.

To put an end to this madness, the Commission must clarify that a business can define the means available to a consumer to opt-out, and a consumer’s attempt to opt-out that fails to follow those instructions does not constitute a valid revocation of consent.

**IV. The Commission Should Require that Consumers Use the Means Established By A Business To Revoke Consent So Long as the means Provided is Reasonable.**

**A. Methods Specified By The Business**

Communication is a two-way street. For communications between two parties to be effective, there must be agreed conventions in place, such as common vocabulary, syntax, and grammar. In a one-to-many situation (e.g., business to consumer), it makes sense for *the one* to specify the conventions used to ensure clarity of communications with *the many* parties, **so long as the conventions are reasonable**. Accordingly, allowing a business to specify methods by which a consumer can revoke consent ensures clarity, and allows for the most efficient and effective processing of such requests. Consumers benefit from these efficiencies, again **so long as the methods provided are reasonable**.

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<sup>18</sup> Note that Plaintiff Bridget Botto is the named plaintiff in at least 15 TCPA cases filed in the past year. A listing of these cases was submitted in a Request for Judicial notice in *Botto v. Alo*, No. 2:25-cv-10478 (C.D. Cal. December 23, 2025), and are included in Appendix A.

The experiment of allowing consumers to choose a revocation method has failed. At best it has resulted in confusion, and at worse – as detailed above – it has resulted in the intentional use of evasive keywords/phrases for the purposes of manufacturing TCPA litigation. Allowing consumers to choose how to revoke consent has put an unfair burden on businesses, who despite best efforts, still fall victim to vexatious litigants. Additionally – as detailed above – Opt-Out evaders are clogging the courts with frivolous litigation brought by parties seeking to test theories of liability for every conceivable attempted “reasonable” revocation request. In many cases, law-abiding businesses have been forced to settle meritless claims rather than pay substantially more to their lawyers to litigate a case without a realistic probability of recouping those costs<sup>19</sup>.

#### B. Reasonable Methods

To ensure consumers have alternatives, while avoiding overburdening businesses with building functions supporting every conceivable opt-out channel, we propose that a business may specify revocation methods that must be used, so long as the methods are *reasonable*.

Looking to the states for guidance, there are currently twenty-one privacy laws<sup>20</sup> that give consumers opt-out or other privacy request rights<sup>21</sup>. Seventeen require a business to provide at least one method to submit a request<sup>22</sup>, and four require two or more methods be provided<sup>23</sup>. A

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<sup>19</sup> As detailed in Appendix A, it appears 29 cases have settled. In seven cases, a notice of settlement was filed, and in 22 cases voluntary dismissals were filed (likely settled).

<sup>20</sup> States with omnibus privacy laws enacted or that are currently in-force are: California, Colorado, Connecticut, Delaware, Florida, Indiana, Iowa, Kentucky, Maryland, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, Oregon, Rhode Island, Tennessee, Texas, Utah, and Virginia. Nevada’s “internet opt-out law” (NRS 603A.300 et seq.) makes 21. Links to, and excerpts from, each law in support of these comments, are provided in the Appendix B.

<sup>21</sup> These opt-out rights generally apply to the sale or sharing of personal information for certain purposes (e.g., targeted advertising or profiling).

<sup>22</sup> Colorado, Connecticut, Delaware, Indiana, Iowa, Kentucky, Maryland, Minnesota, Montana, Nevada, New Hampshire, New Jersey, Oregon, Rhode Island, Tennessee, Utah, and Virginia.

<sup>23</sup> California, Florida, Nebraska, and Texas.

small minority specify when a specific method must be used (e.g., a toll-free number, email address, or webform), but all require they be relevant to the ways in which a company interacts with a consumer. California and Colorado provide the most detailed guidance, where regulations promulgated under each act specify criteria for the design of consumer request mechanisms – i.e., **what constitutes a *reasonable method*.**

With this in mind, and to balance the interests of callers and consumers, we propose that a business must provide consumers with at least two reasonable revocation methods. To be reasonable, as well as consistent with state law requirements, each revocation method must meet the following “Reasonable Revocation Design” criteria:

- Be clearly and conspicuously posted;
- Take into account the ways a consumer normally interacts with a business;
- Provide instructions for using the method;
- Be easy for consumers to execute, requiring a minimal number of steps; and
- Not be designed in a way that impedes or discourages a consumer's choice (i.e., no dark patterns).

For the above reasons, in the interest of clarity, efficiency, and effectiveness, we submit that it is perfectly acceptable for a business to specify how a consumer can revoke consent – **provided the methods comply with the above mentioned “Reasonable Revocation Design” criteria.**

#### C. Practical And Reasonable Ways A Consumer Can Revoke Consent

Legitimate businesses do not want to call people who do not want to be called and have a vested interest in ensuring their revocation methods clearly, efficiently, and effectively communicate a consumer's desires.

As such, our proposal incorporates an “on-the-call” requirement, but also provides that alternative method may be provided, consistent with the way a consumer normally interacts with a business (as well as meeting the other Reasonable Revocation Design” criteria). To that end, we propose that a business must provide at least two reasonable methods for revoking consent:

On the call/text made, such as –

- through an automated, interactive opt-out;
- by replying to a text message with “stop,” “quit,” “end,” “revoke,” “opt out,” “cancel,” or “unsubscribe<sup>24</sup>;”
- by stating on a live call that the individual wishes calls to stop; or
- by calling the contact number provided in a message delivered.

Out-of-band methods specified by the caller, such as –

- an email or webpage address dedicated to processing revocation requests; or
- if the consumer has an account with the caller, by directing the consumer to that account and submitting choices on a provided “preference center<sup>25</sup>. ”

To avoid the gamesmanship we have now seen being exercised by vexatious litigants, the Commission must allow a business to require individuals to use the above business-specified methods. Where an individual declines to use the reasonable methods provided by a business, the burden will be on the individual to justify why the reasonable method(s) provided were not used.

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<sup>24</sup> The keywords explicitly deemed “reasonable” by the commission at 47 CFR §64.1200(a)(10).

<sup>25</sup> Consistent with privacy laws in Colorado, Connecticut, Delaware, Iowa, Kentucky, Nebraska, New Hampshire, New Jersey, Tennessee, and Virginia, that explicitly permit companies to direct users with an account with the business to submit requests through that account.

## **V. Modernizing Artificial and Prerecorded Voice Caller Identification Must Preserve Meaningful Consumer Identification**

Under the current rules, callers using artificial or prerecorded voice messages are required to provide identifying information that allows consumers to understand who is calling and to exercise their rights, including by providing a telephone number that may be used to make do-not-call requests during regular business hours<sup>26</sup>.

The proposed rule, however, requires “only that such callers identify themselves with their telephone number to enable called consumers to know who is calling<sup>27</sup>.” While framed as a simplification, this proposal would materially narrow existing obligations and weaken existing consumer protections. A phone number alone provides little practical insight into the identity of the calling party at the moment a call is received. As a result, consumers may be left with insufficient information to assess the legitimacy of prerecorded calls in real time.

For these reasons, R.E.A.C.H. respectfully urges the Commission to clarify that legacy prerecorded call recordings must continue to provide meaningful caller identification. At a minimum, prerecorded messages should either include clear identification of the calling party within the recording itself or be required to offer a clearly announced, functional key-press or similar in-call mechanism that allows the called party to obtain that information during the call. Preserving these identification safeguards alongside any modernization effort will better protect consumers and reduce the likelihood that more restrictive regulation will be required in the future.

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<sup>26</sup> 47 C.F.R. § 64.1200(b)(2)

<sup>27</sup> Advanced Methods to Target and Eliminate Unlawful Robocalls, 90 Fed. Reg. 56,101, 56,115 ¶ 79 (Dec. 5, 2025) (to be codified at 47 C.F.R. pt. 64).

## **VI. Verified Caller Identity Systems Must Avoid Consumer Confusion and False Trust Signals**

The Commission proposes to expand the role of verified caller identity information by enhancing the availability and presentation of caller identification data transmitted to consumers, including through authenticated caller name and related identity information<sup>28</sup>.

R.E.A.C.H. supports the accurate transmission of caller identification information where it can be implemented without imposing additional costs. However, before expanding or mandating verified caller identity frameworks, the Commission must resolve key issues, including:

1. consumers may misinterpret higher attestation levels or authenticated identity indicators as endorsements of legitimacy, rather than limited technical validations, increasing fraud risk; and
2. without clear standards for how verified identity indicators are defined and displayed, such signals may confuse rather than inform consumers' call-answering decisions.

Accordingly, if the Commission proceeds with expanding verified caller identity frameworks, it should first resolve several critical issues. These include:

1. establishing minimum verification standards that are scalable based on business size and risk profile, ensuring that identity signals do not mislead consumers; and
2. incorporating robust privacy protections for calls involving sensitive subject matter.

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<sup>28</sup> Advanced Methods to Target and Eliminate Unlawful Robocalls, 90 Fed. Reg. 56101 ¶ 8 (Dec. 5, 2025).

## **VII. Secure Transmission of Caller Identify Information Using Rich Call Data (RCD)**

The Commission seeks comment on whether to require the secure transmission of caller identity information between providers through the use of Rich Call Data (“RCD”)<sup>29</sup>. Generally, the introduction of RCD has the potential to provide a more secure mechanism for transmitting caller identification information to consumers. However, R.E.A.C.H. does not believe the ecosystem is presently prepared to support RCD at scale. Moreover, careful consideration must be given to the challenges associated with widespread adoption, including the disparate impacts created by partial implementation and the risks posed by those unwilling to adopt the technology.

### **A. Limitations of Existing Branded Caller ID Solutions**

To the best of R.E.A.C.H.’s knowledge, the branded caller ID services currently deployed by major U.S. carriers—typically provided by analytics vendors such as Hiya, TNS, and First Orion—do not rely on RCD and instead operate through legacy branding mechanisms. These legacy solutions lack meaningful authentication controls to ensure that branded caller ID displays are delivered only by authorized callers. As a result, any caller able to use a registered telephone number may trigger the display of a branded caller name, creating opportunities for impersonation.

Although some providers offer optional call protection features, these tools are not consistently free and often provide only limited mitigation. In many cases, protective features do not prevent call delivery, but merely suppress the branded display, and may require out-of-band transmissions prior to call initiation. While RCD may be more secure, these technologies remain insufficiently tested for adoption as an industry standard and similarly depend on out-of-band processes to function effectively.

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<sup>29</sup> Advanced Methods to Target and Eliminate Unlawful Robocalls, 90 Fed. Reg. 56101 ¶¶ 28–38 (Dec. 5, 2025).

## B. Operational and Technical Barriers to Adoption

While out-of-band transmissions are not inherently prohibitive, it remains uncertain whether dialing platforms or VoIP infrastructure, including Session Border Controllers (“SBCs”), can support them at scale. Even for less invasive legacy caller ID branding solutions, platform support has been limited, and often requires a pre-call out-of-band transmission to the appropriate terminating service provider. Because these solutions are proprietary and vary by carrier and analytics provider, callers may need to route notifications to different endpoints based on the destination network—information that most enterprise callers lack and often must obtain through costly third-party lookups.

Implementation challenges are emphasized under the CTIA’s Branded Calling ID (“BCID”) framework. Rather than a simple pre-call notification, calls must be signed by a Signing Agent that provides the branding information. This approach requires the Signing Agent to be integrated into the VoIP call path, either through call redirection by a Session Border Controller or by requiring the originating service provider or dialing platform to rely on the Signing Agent for call signing on each call.

## C. Standardization and Carrier Participation

These technical hurdles raise broader market concerns. If dialing platforms or originating service providers limit access to BCID services, competition would be reduced, driving costs to unsustainable levels. Although an enterprise caller could attempt to migrate to a lower-cost platform, doing so is often impractical. Call centers operating under state and federal regulatory requirements typically invest substantial time and resources to implement compliance controls and integrate operational systems. As a result, transitioning between dialing platforms frequently requires extended timelines, even for smaller operations.

Adoption challenges are further emphasized by the absence of a standardized approach to RCD. While the CTIA’s BCID framework is open to participation by all major carriers, adoption has been uneven. T-Mobile was, until recently, the only participating carrier, and although Verizon announced its participation in September, AT&T has not publicly committed to BCID and instead appears to rely on a separate, proprietary RCD implementation available only through its branding partner, TransUnion. This fragmentation risks creating market confusion and imposes unnecessary burdens on dialer manufacturers attempting to support multiple, non-interoperable standards. It also perpetuates operational challenges for enterprise callers, including uncertainty regarding the terminating service provider prior to call initiation—an issue that a fully adopted, carrier-agnostic framework could otherwise help mitigate.

AT&T’s lack of participation also risks discouraging the promotion of branded calling and undermines the financial viability of adoption. Under legacy caller ID branding models, providers such as TNS and First Orion permit approved vendors to resell branding services, allowing businesses to promote these offerings at their own expense. AT&T previously supported a similar program through Hiya, but that program was phased out beginning in 2023 and discontinued in 2024. As a result, only a limited number of entities—TNS, First Orion, and TransUnion—are currently able to sell AT&T-branded caller ID services. This marketplace drives higher costs and limits coverage. Because many vendors offer branding services for only two of the three major U.S. wireless carriers, enterprise callers seeking comprehensive coverage face a combination of incomplete reach and elevated costs, reducing incentives to participate.

#### D. Cost Concerns

Current caller ID branding services offered by analytics providers impose significant costs on callers. Pricing typically ranges from approximately four cents per call for high-volume callers

to ten cents per call for lower-volume callers, with charges assessed on each call delivered to a consumer handset. At a mid-range cost of seven cents per call, a caller placing roughly seventy calls per hour would incur an additional cost of approximately five dollars per hour per full-time equivalent employee. Given that typical answer rates hover around ten percent, this cost increase is incurred largely without corresponding gains in productive consumer engagement. As a result, these added expenses can materially increase operating costs and may incentivize businesses to shift operations offshore, creating sustainability concerns for compliant U.S. businesses.

BCID initially appeared promising because the high cost of Legacy Caller ID Branding had been a primary barrier to adoption. Although T-Mobile's initial BCID pricing was lower than that of its analytics provider, First Orion, subsequent price increases have brought BCID pricing on T-Mobile's network closer to legacy levels, reducing incentives for sellers and limiting adoption.

Businesses generally assess new services based on return on investment. While Legacy Caller ID Branding proponents have claimed improved answer rates, resellers have reported inconsistent results. A study by Call Center Compliance (DNC.com) found no increase in answer rates among its Legacy Caller ID Branding customers, and only limited reports of improved call quality. As a result, many businesses discontinue branded calling services after a short period due to insufficient ROI.

#### E. R.E.A.C.H. Recommendations

R.E.A.C.H. recommends that the Commission encourage, but not mandate, migration to RCD, while promoting standardization and lowering costs. Although caller ID transparency can be beneficial, it is not appropriate in all circumstances; for example, debt collectors may achieve better outcomes without displaying a calling name, healthcare providers may face HIPAA-related

concerns, and services for vulnerable populations may warrant exemptions. Ultimately, adoption will be constrained by cost. Unlike legacy CNAM services, which imposed only nominal expenses, current branded calling models can add approximately five dollars per hour per employee—an increase that is not sustainable for many compliant businesses and may drive them to limit operations while bad actors continue unaffected.

### **VIII. R.E.A.C.H. Renews Its Request for Action on Its Critical Petition on Call Blocking and Labeling That Raises Issues Adjacent to the Commissions' Current NPRM**

R.E.A.C.H. renews its call for action on its critical petition seeking modifications to the Commission's existing call blocking and labeling rules.<sup>30</sup> Specifically R.E.A.C.H. requests the Commission immediately commence rulemaking to:

1. Clarify and confirm no member of the U.S. telecommunication ecosystem (including the wireless carriers and parties with whom they are in contractual privity) may block, throttle, or limit calls or text, MMS, RCS, SMS or other communications to telephone numbers on the basis of content;
2. Clarify and confirm no member of the U.S. telecom ecosystem (including the wireless carriers and parties with whom they are in contractual privity) may block, throttle, or limit calls or text, MMS, RCS, SMS or other communications to telephone numbers that were sent consistent with the TCPA's statutory text and applicable regulation; and
3. Clarify and confirm any blocking, throttling, or limiting of calls or texts on the basis of content or any blocking, throttling, or limiting of calls or texts that were initiated

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<sup>30</sup> Responsible Enters. Against Consumer Harassment, MBC, Petition to Revise Safe Harbor Rules Relating to Call and Text Blocking, at 7-10 (filed Jan. 29, 2025).

consistent with the TCPA’s text and any applicable Commission’s rules is presumptively “unreasonable” under the Communications Act.<sup>31</sup>

## **IX. CONCLUSION**

For the reasons described above, R.E.A.C.H. respectfully urges the Commission to clarify that (1) a business must specify reasonable revocation methods a consumer can use, and (2) consumers must use the reasonable means established by a business to revoke consent.

Respectfully submitted,

R.E.A.C.H

By: /s/ Eric J. Troutman  
Eric J. Troutman

Dated: January 5, 2026

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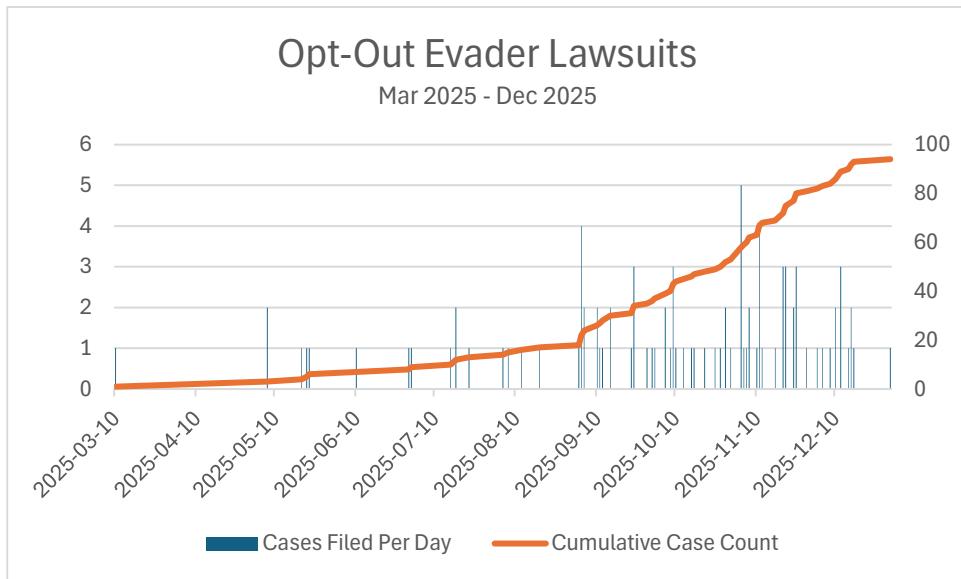
<sup>31</sup> Responsible Enters. Against Consumer Harassment, MBC, Petition to Revise Safe Harbor Rules Relating to Call and Text Blocking, at 8 (filed Jan. 29, 2025).

## APPENDIX A

### Opt-Out Evader Lawsuits<sup>32</sup>

The data here is provided as an example of the rapid-fire, copy-paste “Opt-Out Evader” complaints. After a thorough review of each filing, the result of our analysis is presented here. As a reminder, all cases reviewed were filed by a single law firm based in south Florida

**Cases Filed:** the number of cases filed have been increasing exponentially, with multiple cases filed per day:



**Figure 1**

### Known “Opt-Out Evader” Cases Filed

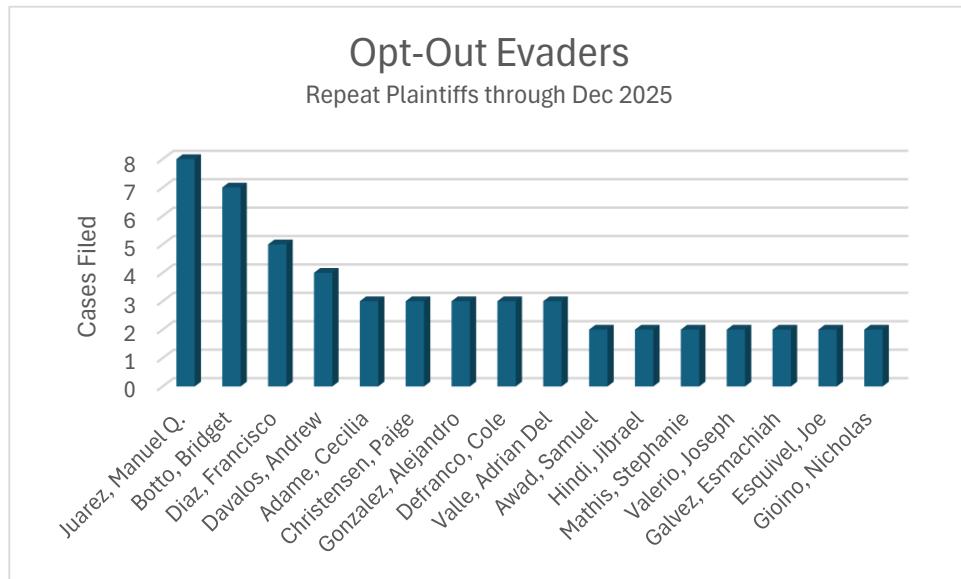
Through December 31, 2025

As of December 31<sup>st</sup>, we saw ninety-four cases filed.

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<sup>32</sup> Observed “Opt-Out Evader” lawsuits filed by a single, south-Florida law firm. Note that while initial suits did include screenshots of the terms used to revoke consent, the vast majority only refer to a generic “stop instruction” with no reference to what terms were actually used.

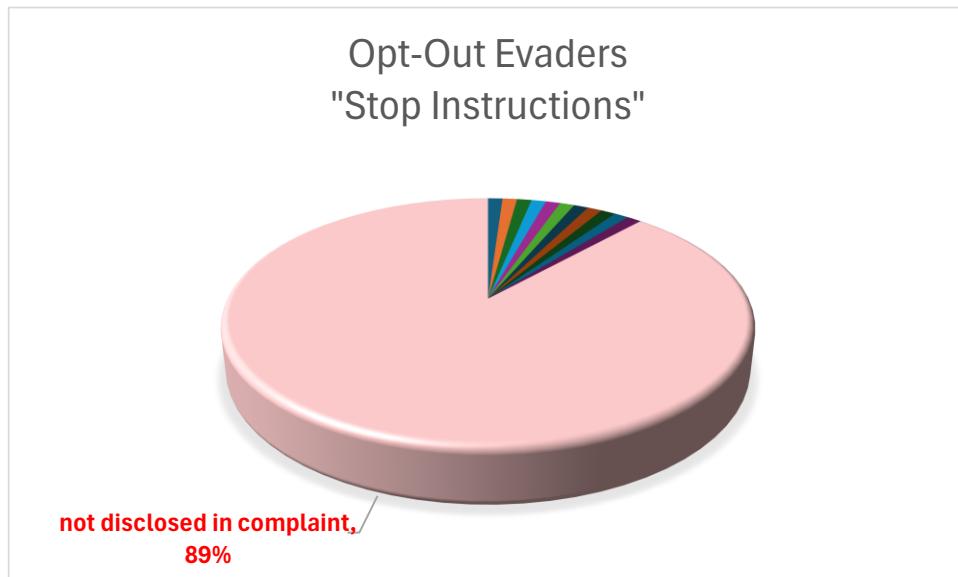
**Repeat Plaintiffs:** sixteen individuals are named plaintiff in two or more cases, accounting for over half of the cases filed (53 of 94 cases):



**Figure 2**  
**Repeat “Opt-Out Evaders”**  
**Through December 31, 2025**

Note that some of the firm's attorneys are joining in on the fun as well.

**Stop Instructions:** In July, the firm stopped adding opt-out screenshots to some of the complaints that it filed. This appeared to be in response to criticism for using esoteric terms that appeared to be designed to avoid detection.



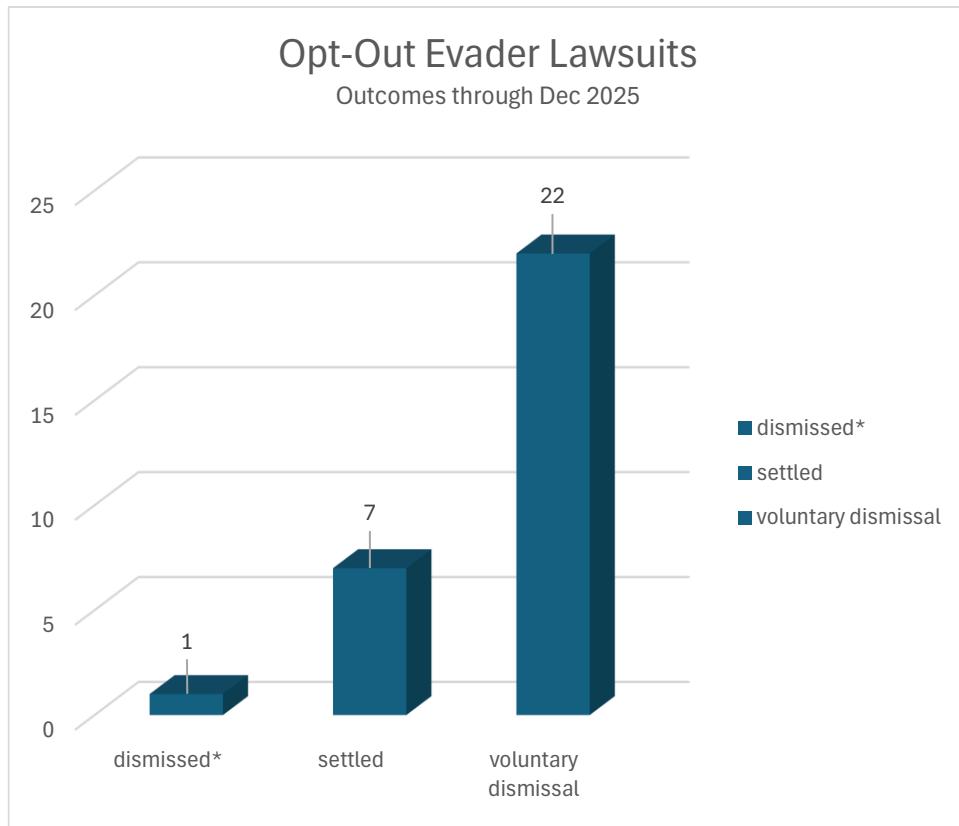
**Figure 3**  
“Stop Instructions”  
Through December 31, 2025

Specific terms that were mentioned include:

- cease and desist
- Do not send me anymore messages!!!!
- exit
- I do not wish to be contacted
- please don't contact me again
- Please do not write me again
- remove
- Why don't you "Stop" messaging me
- I already texted you to "Stop" texting me..
- Why don't you "Stop" sending me texts

Any case that used “stop,” “quit,” “end,” “revoke,” “opt out,” “cancel,” or “unsubscribe” were not included in our analysis. However, we did include cases where the response included the word ““Stop” ” in quotation marks, as we believe this was an attempt to prevent systems from recognizing/parsing the actual word “Stop.”

**Outcomes:** To date, just over 30% of the cases filed have apparently settled, despite only being on the docket for a matter of weeks. This provides confirmation that the goal is not consumer protection, but to force law-abiding companies to pay substantial settlements to end cases with no legal merit rather than pay substantially more to their lawyers to litigate the case without a realistic probability of recouping those costs.



**Figure 4**  
“Opt-Out Evader” Suit Outcomes  
Through December 31, 2025

\*The dismissed case was resolved in Defendant’s favor, for issues related to effectuating service.

**Cases:** For the sake of completeness, a listing of all the cases reviewed in the preceding analysis are provided in the table below.

Date Filed	Case	Plaintiff	Court	No.	Phone Number	Outcome
2025-12-31	Juarez v. Ashley	Juarez, Manuel Q.	C.D. CA	2:25-cv-12370	<i>not disclosed in complaint</i>	
2025-12-17	Collao v. Springboard Nonprofit Consumer Credit Management	Collao, Christian	C.D. CA	8:25-cv-02780	<i>not disclosed in complaint</i>	
2025-12-16	Cozza v. Collaborative Boating	Cozza, Isabella	D. NJ	2:25-cv-18676	<i>not disclosed in complaint</i>	
2025-12-16	Sharp v. Ox Car Care	Sharp, Christopher	FL-Palm Beach	2025CA013033	<i>not disclosed in complaint</i>	
2025-12-15	Christensen v. Body Firm Aerobics	Christensen, Paige	FL-Duval	2025-CA-007852	<i>not disclosed in complaint</i>	
2025-12-12	Defranco v. Boxr Studios	Defranco, Cole	FL-Broward	CACE25019016	<i>not disclosed in complaint</i>	
2025-12-12	Jean v. Writink Tutors	Jean, Marie Josee	N.D. CA	5:25-cv-10611	<i>not disclosed in complaint</i>	
2025-12-12	Khodadadi-Mobarakeh v. Spinnaker Resorts	Khodadadi-Mobarakeh, Daryush	N.D. CA	5:25-cv-10636	<i>not disclosed in complaint</i>	
2025-12-10	Defranco v. Sumup	Defranco, Cole	FL-Broward	CACE25018875	<i>not disclosed in complaint</i>	
2025-12-10	Calix v. Lgnd Supply Co	Calix, Joycer	FL-Miami-Dade	2025024213CA01	<i>not disclosed in complaint</i>	
2025-12-08	Jean v. Epic Sports	Jean, Max	FL-Broward	CACE25018696	<i>not disclosed in complaint</i>	
2025-12-05	Tidwell v. Orderlymeds	Tidwell, Alyson	E.D. CA	2:25-cv-03532	<i>not disclosed in complaint</i>	
2025-12-03	Defranco v. Toad & Co	Defranco, Cole	FL-Broward	CACE25018396	<i>not disclosed in complaint</i>	
2025-11-29	Juarez v. Wildfang	Juarez, Manuel Q.	C.D. CA	2:25-cv-11419	<i>not disclosed in complaint</i>	
2025-11-25	Juarez v. You E- Commerce	Juarez, Manuel Q.	C.D. CA	2:25-cv-11332	<i>not disclosed in complaint</i>	
2025-11-25	Hindi v. Vittori	Hindi, Jibrael	N.D. CA	5:25-cv-10219	<i>not disclosed in complaint</i>	
2025-11-25	Adame v. Upful Blends	Adame, Cecilia	FL-Broward	CACE25018101	<i>not disclosed in complaint</i>	
2025-11-24	Mathis v. Crocs	Mathis, Stephanie	C.D. CA	2:25-cv-11261	<i>not disclosed in complaint</i>	
2025-11-24	Adame v. Pacific College Of Health And Science	Adame, Cecilia	FL-Broward	CACE25018027	<i>not disclosed in complaint</i>	
2025-11-21	Mathis v. Good American	Mathis, Stephanie	C.D. CA	2:25-cv-11187	<i>not disclosed in complaint</i>	
2025-11-21	Alkhdaire v. Figs	Alkhdaire, Jazmin	C.D. CA	8:25-cv-02618	<i>not disclosed in complaint</i>	
2025-11-21	Adame v. Anima Mundi Herbals	Adame, Cecilia	FL-Broward	CACE25017906	<i>not disclosed in complaint</i>	
2025-11-20	Blaise v. Lennar	Blaise, Loumyr	FL-Broward	CACE25017855	<i>not disclosed in complaint</i>	voluntary dismissal
2025-11-20	Juarez v. Allbirds	Juarez, Manuel Q.	C.D. CA	2:25-cv-11111	<i>not disclosed in complaint</i>	
2025-11-20	Juarez v. Everlane	Juarez, Manuel Q.	C.D. CA	2:25-cv-11109	<i>not disclosed in complaint</i>	

Date Filed	Case	Plaintiff	Court	No.	Phone Number	Outcome
2025-11-17	Juarez v. Domino's	Juarez, Manuel Q.	C.D. CA	2:25-cv-10998	<i>not disclosed in complaint</i>	
2025-11-12	Lesin v. Making Awesome Smiles	Lesin, Daniel	FL-Palm Beach	2025CA011784	<i>not disclosed in complaint</i>	
2025-11-11	Bernard v. Kekoon	Bernard, Solomon Kyle	FL-Broward	CACE25017295	<i>not disclosed in complaint</i>	
2025-11-11	Aponte v. Body	Aponte, Mikaela	FL-Broward	CACE25017289	<i>not disclosed in complaint</i>	
2025-11-11	Gioino v. Hungryroot	Gioino, Nicholas	FL-Miami-Dade	2025022307CA01	<i>not disclosed in complaint</i>	
2025-11-11	Gillespie v. Michaels	Gillespie, Zoe	FL-Hillsborough	25-CA-011384	<i>not disclosed in complaint</i>	
2025-11-10	Botto v. BIOHM Health	Botto, Bridget	C.D. CA	2:25-cv-10779	<i>not disclosed in complaint</i>	
2025-11-07	Gonzalez v. One Finance	Gonzalez, Alejandro	C.D. CA	2:25-cv-10709	<i>not disclosed in complaint</i>	
2025-11-07	Gioino v. Nelk USA	Gioino, Nicholas	FL-Miami-Dade	2025022066CA01	<i>not disclosed in complaint</i>	
2025-11-06	Alvarez v. Fusion Van Lines	Alvarez, Katelyn	C.D. CA	5:25-cv-02967	<i>not disclosed in complaint</i>	
2025-11-05	Galvez v. 1 Up Nutrition	Galvez, Esmachiah	C.D. CA	2:25-cv-10635	<i>not disclosed in complaint</i>	
2025-11-04	Botto v. Wilson Sporting Goods	Botto, Bridget	C.D. CA	2:25-cv-10598	<i>not disclosed in complaint</i>	
2025-11-04	Botto v. SLT Lending	Botto, Bridget	C.D. CA	2:25-cv-10602	<i>not disclosed in complaint</i>	
2025-11-04	Botto v. Coty DTC Holdings	Botto, Bridget	C.D. CA	2:25-cv-10574	<i>not disclosed in complaint</i>	
2025-11-04	Botto v. C. & J. Clark Retail	Botto, Bridget	C.D. CA	2:25-cv-10573	<i>not disclosed in complaint</i>	
2025-11-04	Botto v. BB Opco	Botto, Bridget	C.D. CA	2:25-cv-10572	<i>not disclosed in complaint</i>	voluntary dismissal
2025-10-31	Botto v. Alo	Botto, Bridget	C.D. CA	2:25-cv-10478	<i>not disclosed in complaint</i>	
2025-10-29	Manafov v. Touchpay	Manafov, Tiyanna Mothershed	E.D. CA	2:25-cv-03141	<i>not disclosed in complaint</i>	
2025-10-29	Danel v. Genesis Of Palm Springs	Danel, Jaxon	C.D. CA	2:25-cv-10403	<i>not disclosed in complaint</i>	
2025-10-27	Hindi v. Sushi By Bou	Hindi, Jibrael	FL-Broward	CACE25016448	<i>not disclosed in complaint</i>	voluntary dismissal
2025-10-25	Hageman v. NVS Auto Sales	Hageman, Jonathan	C.D. CA	5:25-cv-02822	<i>not disclosed in complaint</i>	
2025-10-21	Mackeigan v. International Travel Network	MacKeigan, Michael	N.D. CA	4:25-cv-09019	<i>not disclosed in complaint</i>	voluntary dismissal
2025-10-17	Magallanez v. Dick's	Magallanez, John	S.D. FL	1:25-cv-25499	<i>not disclosed in complaint</i>	voluntary dismissal
2025-10-16	Christensen v. Elevate Recovery And Med Spa	Christensen, Paige	FL-Duval	16-2025-CA-006420	<i>not disclosed in complaint</i>	
2025-10-13	Diaz v. Jaxxon	Diaz, Francisco	S.D. FL	1:25-cv-25448	<i>not disclosed in complaint</i>	voluntary dismissal
2025-10-10	Bohorquez v. Alexandra Lozano Immigration Law	Bohorquez, Jesus David Restrepo	S.D. FL	0:25-cv-62450	<i>not disclosed in complaint</i>	settled
2025-10-09	Diaz v. Mission Capital	Diaz, Francisco	FL-Miami-Dade	2025019866CA01	<i>not disclosed in complaint</i>	

Date Filed	Case	Plaintiff	Court	No.	Phone Number	Outcome
2025-10-09	Awad v. Northwestern Mutual	Awad, Samuel	S.D. FL	9:25-cv-81411	<i>not disclosed in complaint</i>	voluntary dismissal
2025-10-09	Pina v. Buds	Pina, Julian Cesar	C.D. CA	2:25-cv-09653	<i>not disclosed in complaint</i>	
2025-10-08	Young v. Homeunited	Young, Julia	FL-Broward	CACE25015353	<i>not disclosed in complaint</i>	voluntary dismissal
2025-10-06	Christensen v. Hugo Boss	Christensen, Paige	FL-Duval	2025-CA-006183	<i>not disclosed in complaint</i>	voluntary dismissal
2025-10-06	Garcia v. Trustline	Garcia, Miguel D.	S.D. CA	3:25-cv-02641	<i>not disclosed in complaint</i>	
2025-10-02	Gonzalez v. A Sub Above	Gonzalez, Alejandro	C.D. CA	2:25-cv-09385	<i>not disclosed in complaint</i>	
2025-10-01	Gonzalez v. Local Liquidators	Gonzalez, Alejandro	C.D. CA	2:25-cv-09361	<i>not disclosed in complaint</i>	voluntary dismissal
2025-09-29	Gaines v. Lpc Survival	Gaines, Nathan	C.D. CA	2:25-cv-09291	<i>not disclosed in complaint</i>	
2025-09-24	Shah v. Aditi Consulting	Shah, Vishal	N.D. CA	5:25-cv-08111	<i>not disclosed in complaint</i>	
2025-09-24	Galvez v. Tradersagency	Galvez, Esmachiah	C.D. CA	2:25-cv-09130	<i>not disclosed in complaint</i>	
2025-09-24	Valle v. Tory Burch	Valle, Aliette Del	FL-Miami-Dade	2025018768CA01	<i>not disclosed in complaint</i>	voluntary dismissal
2025-09-23	Valle v. Shutterfly	Valle, Adrian Del	S.D. FL	1:25-cv-25150	<b>- Please do not write me again</b>	
2025-09-15	Juarez v. Abg Juicy Couture	Juarez, Manuel Q.	C.D. CA	2:25-cv-08727	<i>not disclosed in complaint</i>	
2025-09-15	Juarez v. Readywise	Juarez, Manuel Q.	C.D. CA	2:25-cv-08726	<i>not disclosed in complaint</i>	
2025-09-12	Diaz v. I Fund Daily	Diaz, Francisco	FL-Miami-Dade	2025017959CA01	<i>not disclosed in complaint</i>	
2025-09-11	Diaz v. Shopgld	Diaz, Francisco	S.D. FL	1:25-cv-25615	<i>not disclosed in complaint</i>	
2025-09-10	Diaz v. Shock Doctor	Diaz, Francisco	FL-Miami-Dade	2025017750CA01	<i>not disclosed in complaint</i>	
2025-09-10	Ghukasyan v. Phoenix Retail	Ghukasyan, Stepan	C.D. CA	2:25-cv-08570	<i>not disclosed in complaint</i>	
2025-09-05	Davalos v. Umzu	Davalos, Andrew	C.D. CA	5:25-cv-02331	<i>not disclosed in complaint</i>	
2025-09-05	Davalos v. Intertia Presents	Davalos, Andrew	C.D. CA	5:25-cv-02319	<i>not disclosed in complaint</i>	
2025-09-04	Valle v. Tapestry	Valle, Adrian Del	FL-Miami-Dade	2025017319CA01	<i>not disclosed in complaint</i>	
2025-09-04	Taylor v. Cider Holding	Taylor, Rebecca	S.D. FL	1:25-cv-24496	<i>not disclosed in complaint</i>	
2025-09-04	Mohammed v. Super Car Miami	Mohammed, Abdel	FL-Miami-Dade	2025017330CA01	<i>not disclosed in complaint</i>	
2025-09-04	Davalos v. Boot Barn	Davalos, Andrew	C.D. CA	5:25-cv-02311	<i>not disclosed in complaint</i>	voluntary dismissal
2025-09-03	Davalos v. OAM	Davalos, Andrew	C.D. CA	5:25-cv-02301	<i>not disclosed in complaint</i>	settled
2025-08-19	Valle v. Pizza Hut	Valle, Adrian Del	S.D. FL	1:25-cv-24561	<b>- Do not send me anymore messages!!!!</b>	settled
2025-08-12	Valerio v. Hasso	Valerio, Joseph	FL-Broward	CACE25012071	<i>not disclosed in complaint</i>	voluntary dismissal

Date Filed	Case	Plaintiff	Court	No.	Phone Number	Outcome
2025-08-07	Valerio v. Vitacost	Valerio, Joseph	FL-Miami-Dade	2025015234CA01	<i>not disclosed in complaint</i>	voluntary dismissal
2025-08-05	Cipriano v. Gofincapital	Cipriano, Arturo	C.D. CA	2:25-cv-07204	<i>not disclosed in complaint</i>	voluntary dismissal
2025-07-23	Perez v. Ridge Capital	Perez, Wendy	C.D. CA	2:25-cv-06710	<i>not disclosed in complaint</i>	voluntary dismissal
2025-07-18	Pimentel v. Mustard Seed Financial	Pimentel, Jan Carlos	S.D. FL	1:25-cv-23221	<i>not disclosed in complaint</i>	voluntary dismissal
2025-07-18	Awad v. Brew Culture	Awad, Samuel	S.D. FL	9:25-cv-80909	<i>not disclosed in complaint</i>	settled
2025-07-16	Bevelock v. Smart Safe Retirement	Bevelock, Nicholas	S.D. FL	9:25-cv-80897	<i>not disclosed in complaint</i>	settled
2025-07-01	Rose v. 307 SW 2nd St	Rose, Zoe	S.D. FL	0:25-cv-61339	<b>- I do not wish to be contacted</b>	
2025-06-30	Dudek v. Surf Clean Energy	Dudek, Damian Joseph	E.D. NY	2:25-cv-03621	<b>- S</b>	voluntary dismissal
2025-06-10	Gomez v. Gage Bowl	Gomez, Robert	C.D. CA	2:25-cv-05257	<b>- exit</b>	settled
2025-05-23	Torre v. American First Finance	Torre, Saul De La	E.D. CA	2:25-cv-01447	<b>- cease and desist</b>	voluntary dismissal
2025-05-22	Gabai v. Tabs Labs	Gabai, Ofek	C.D. CA	2:25-cv-04630	<b>- remove</b> <b>- no</b>	dismissed
2025-05-20	Esquivel v. Insurance Zebra	Esquivel, Joe	S.D. CA	3:25-cv-01282	<b>- Why don't you "Stop" messaging me</b> <b>- I don't want to do business with your company</b> <b>- I already texted you to "Stop" texting me..</b>	voluntary dismissal
2025-05-07	Esquivel v. Snap	Esquivel, Joe	S.D. CA	3:25-cv-01157	<b>- Why don't you "Stop" sending me texts</b>	voluntary dismissal
2025-05-07	Mokled v. Hanna Cars	Mokled, Jean	S.D. FL	0:25-cv-60899	<b>- no</b>	settled
2025-03-10	Hensley v. Total MMA Studios	Hensley, Logan	S.D. CA	8:25-cv-00457	<b>- no</b> <b>- please don't contact me again</b> <b>- Due to your refusal to provide pricing, it is off the table</b>	voluntary dismissal

## APPENDIX B

### State Privacy Law Request Methods<sup>33</sup>

State	Request Methods
California Consumer Privacy Act of 2018 as amended by California Privacy Rights Act of 2020 (CCPA as amended) <ul style="list-style-type: none"> <li>• <a href="#">CAL. CIV. CODE §§ 1798.100-1798.199.100 (West 2023)</a></li> <li>• <a href="#">Cal. Code Regs. tit. 11, §§ 7000-7304 (2023)</a></li> </ul>	<p>1798.130. Notice, Disclosure, Correction, and Deletion Requirements</p> <p>(a) In order to comply with Sections 1798.100, 1798.105, 1798.106, 1798.110, 1798.115, and 1798.125, a business shall, in a form that is reasonably accessible to consumers:</p> <p>(1) (A) Make available to consumers two or more designated methods for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115, or requests for deletion or correction pursuant to Sections 1798.105 and 1798.106, respectively, including, at a minimum, a toll-free telephone number. A business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information shall only be required to provide an email address for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115, or for requests for deletion or correction pursuant to Sections 1798.105 and 1798.106, respectively.</p> <p>(B) If the business maintains an internet website, make the internet website available to consumers to submit requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115, or requests for deletion or correction pursuant to Sections 1798.105 and 1798.106, respectively.</p> <p>§ 7004. Requirements for Methods for Submitting CCPA Requests and Obtaining Consumer Consent.</p> <p>(a) Except as expressly allowed by the CCPA and these regulations, businesses shall design and implement methods for submitting CCPA requests and obtaining consumer consent that incorporate the following principles:</p> <p>(1) Easy to understand. The methods shall use language that is easy for consumers to read and understand. When applicable, they shall comply with the requirements for disclosures to consumers set forth in section 7003.</p> <p>(2) Symmetry in choice. The path for a consumer to exercise a more privacy-protective option shall not be longer or more difficult or time-consuming than the path to exercise a less privacy-protective option because that would impair or interfere with the</p>

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<sup>33</sup> Known State Privacy Laws as of December 31, 2025.

State	Request Methods
	<p>consumer's ability to make a choice. Illustrative examples follow...</p> <p>(3) Avoid language or interactive elements that are confusing to the consumer. The methods should not use double negatives. Toggles or buttons must clearly indicate the consumer's choice. Illustrative examples follow...</p> <p>(4) Avoid choice architecture that impairs or interferes with the consumer's ability to make a choice. Businesses should also not design their methods in a manner that would impair the consumer's ability to exercise their choice because consent must be freely given, specific, informed, and unambiguous. Illustrative examples follow...</p> <p>(5) Easy to execute. The business shall not add unnecessary burden or friction to the process by which the consumer submits a CCPA request. Methods should be tested to ensure that they are functional and do not undermine the consumer's choice to submit the request. Illustrative examples follow...</p>

State	Request Methods
Colorado Privacy Act of 2021 (CPA) <ul style="list-style-type: none"> <li>• <a href="#"><u>COLO. REV. STAT. § 6-1-1301 to -1313 (2022)</u></a></li> <li>• <a href="#"><u>Colo. Code Regs. Tit. 4, § 904-3 (2023)</u></a></li> </ul>	<p>6-1-1306. Consumer personal data rights - repeal.</p> <p>(1) CONSUMERS MAY EXERCISE THE FOLLOWING RIGHTS BY SUBMITTING A REQUEST USING THE METHODS SPECIFIED BY THE CONTROLLER IN THE PRIVACY NOTICE REQUIRED UNDER SECTION 6-1-1308 ( 1 )(a). THE METHOD MUST TAKE INTO ACCOUNT THE WAYS IN WHICH CONSUMERS NORMALLY INTERACT WITH THE CONTROLLER, THE NEED FOR SECURE AND RELIABLE COMMUNICATION RELATING TO THE REQUEST, AND THE ABILITY OF THE CONTROLLER TO AUTHENTICATE THE IDENTITY OF THE CONSUMER MAKING THE REQUEST. CONTROLLERS SHALL NOT REQUIRE A CONSUMER TO CREATE A NEW ACCOUNT IN ORDER TO EXERCISE CONSUMER RIGHTS PURSUANT TO THIS SECTION BUT MAY REQUIRE A CONSUMER TO USE AN EXISTING ACCOUNT.</p> <p>Rule 4.02 SUBMITTING REQUESTS TO EXERCISE PERSONAL DATA RIGHTS</p> <p>A. Pursuant to C.R.S. § 6-1-1306(1), a Controller's privacy notice must include specific methods through which a Consumer may submit requests to exercise Data Rights.</p> <p>B. Any method specified by a Controller pursuant to this rule must comply with each of the following:</p> <ol style="list-style-type: none"> <li>1. Consider the ways in which Consumers normally interact with the Controller: ...</li> <li>2. Enable the Consumer to submit the request to the Controller at any time;</li> <li>3. Comply with requirements for disclosures, notifications, and other communications to Consumers provided in 4 CCR 904-3, Rule 3.02;</li> <li>4. Use reasonable data security measures, consistent with 4 CCR 904-3, Rule 6.09, when exchanging information in furtherance of Data Rights requests, considering the volume, scope and nature of Personal Data that may be exchanged; and</li> <li>5. Be easy for Consumers to execute, requiring a minimal number of steps.</li> </ol>

State	Request Methods
Connecticut Data Privacy Act of 2022 (CTDPA) <ul style="list-style-type: none"> <li>• <a href="#"><u>CONN. GEN. STAT. §§ 42-515 to -525 (2022)</u></a></li> </ul>	<p>Sec. 42-520. Controllers' duties. Sale of personal data to third parties. Notice and disclosure to consumers. Consumer opt-out.</p> <p>(e) (1) A controller shall establish, and shall describe in a privacy notice, one or more secure and reliable means for consumers to submit a request to exercise their consumer rights pursuant to sections 42-515 to 42-525, inclusive. Such means shall take into account the ways in which consumers normally interact with the controller, the need for secure and reliable communication of such requests and the ability of the controller to verify the identity of the consumer making the request. A controller shall not require a consumer to create a new account in order to exercise consumer rights, but may require a consumer to use an existing account. Any such means shall include: ...</p> <p>(A) (i) Providing a clear and conspicuous link on the controller's Internet web site to an Internet web page that enables a consumer, or an agent of the consumer, to opt out of the targeted advertising or sale of the consumer's personal data; and</p> <p>(ii) [honor Global Privacy Control/ Opt-Out Preference Signal]</p>
Delaware Personal Data Privacy Act (DPDPA) <ul style="list-style-type: none"> <li>• <a href="#"><u>Del. Code Ann. tit. 6, §§ 12D-101 to -111 (2023)</u></a></li> </ul>	<p>§ 12D-106. Duties of controllers.</p> <p>(e) (1) A controller shall establish, and shall describe in the privacy notice required by subsection (c) of this section, 1 or more secure and reliable means for consumers to submit a request to exercise their consumer rights pursuant to this chapter. Such means shall take into account the ways in which consumers normally interact with the controller, the need for secure and reliable communication of such requests, and the ability of the controller to verify the identity of the consumer making the request. A controller shall not require a consumer to create a new account in order to exercise consumer rights, but may require a consumer or the consumer's authorized agent to use an existing account. Any such means shall include all of the following:</p> <p>a.1. Providing a clear and conspicuous link on the controller's Internet website to an Internet web page that enables a consumer, or an agent of the consumer, to opt out of the targeted advertising or the sale of the consumer's personal data.</p>

State	Request Methods
Florida Digital Bill of Rights (FDBR) <ul style="list-style-type: none"> <li>• <a href="#">FLA. STAT. §§ 501.702-72 (2023)</a>.</li> </ul>	<p>501.709 Submitting consumer requests.—</p> <p>(1) A controller shall establish two or more methods to enable consumers to submit a request to exercise their consumer rights under this part. The methods must be secure, reliable, and clearly and conspicuously accessible. The methods must take all of the following into account:</p> <p>(a) The ways in which consumers normally interact with the controller.</p> <p>(b) The necessity for secure and reliable communications of these requests.</p> <p>(c) The ability of the controller to authenticate the identity of the consumer making the request.</p>
Indiana Consumer Data Protection Act of 2023 (Indiana CDPA) <ul style="list-style-type: none"> <li>• <a href="#">Ind. Code § 24-15 (2023)</a>.</li> </ul>	<p>Chapter 4. Data Controller Responsibilities; Transparency</p> <p>Sec. 5. A controller shall establish, and shall describe in a privacy notice provided under section 3 of this chapter, one (1) or more secure and reliable means for consumers to submit a request to exercise their rights under IC 24-15-3. Such means must take into account:</p> <p>(1) the ways in which consumers normally interact with the controller;</p> <p>(2) the need for the secure and reliable communication of such requests; and</p> <p>(3) the ability of the controller to authenticate the identity of the consumer making the request.</p>
Iowa Consumer Data Protection Act of 2023 (Iowa CDPA) <ul style="list-style-type: none"> <li>• <a href="#">IOWA CODE § 715D.1-9 (2023)</a>.</li> </ul>	<p>Sec. 4. NEW SECTION. 715D.4</p> <p>7. A controller shall establish, and shall describe in a privacy notice, secure and reliable means for consumers to submit a request to exercise their consumer rights under this chapter. Such means shall consider the ways in which consumers normally interact with the controller, the need for secure and reliable communication of such requests, and the ability of the controller to authenticate the identity of the consumer making the request. A controller shall not require a consumer to create a new account in order to exercise consumer rights pursuant to section 715D.3, but may require a consumer to use an existing account.</p>

State	Request Methods
Kentucky Consumer Data Protection Act (KCDPA) <ul style="list-style-type: none"> <li>• <a href="#">Ky. Rev. Stat. Ann. § 367.3611–29 (2024)</a></li> </ul>	<p>367.3617 () Process for consumers to exercise consumer rights requirement.</p> <p>(5) A controller shall establish, and shall describe in a privacy notice, one (1) or more secure and reliable means for consumers to submit a request to exercise their consumer rights under KRS 367.3615. The different ways to submit a request by a consumer shall take into account the ways in which consumers normally interact with the controller, the need for secure and reliable communication of such requests, and the ability of the controller to authenticate the identity of the consumer making the request.</p> <p>Controllers shall not require a consumer to create a new account in order to exercise consumer rights pursuant to KRS 367.3615 but may require a consumer to use an existing account.</p>
Maryland Online Data Privacy Act of 2024 (MODPA) <ul style="list-style-type: none"> <li>• <a href="#">Md. Code Ann., Com. Law § 14-4701 (2024)</a></li> </ul>	<p><a href="#">§14-4705.</a></p> <p>(c)(1) A controller shall establish a secure and reliable method for a consumer to exercise a consumer right under this section.</p> <p>(2) A consumer may exercise a consumer right under this section by the method established by the controller under paragraph (1) of this subsection.</p>
Minnesota Consumer Data Privacy Act (MCDPA) <ul style="list-style-type: none"> <li>• <a href="#">Minn. Stat. §§ 325M.10–21 (2024)</a></li> </ul>	<p><a href="#">325M.14</a></p> <p>Subd. 4. Controller response to consumer requests.</p> <p>(b) A controller must provide one or more secure and reliable means for consumers to submit a request to exercise the consumer's rights under this section. The means made available must take into account the ways in which consumers interact with the controller and the need for secure and reliable communication of the requests.</p>
Montana Consumer Data Privacy Act of 2023 (MCDPA) <ul style="list-style-type: none"> <li>• <a href="#">MONT. CODE ANN. § 30-14 (2023)</a></li> </ul>	<p>Section 7. Data processing by controller -- limitations.</p> <p>(6) (a) A controller shall establish and describe in a privacy notice one or more secure and reliable means for consumers to submit a request to exercise their consumer rights pursuant to [sections 1 through 12] considering the ways in which consumers normally interact with the controller, the need for secure and reliable communication of consumer requests, and the ability of the controller to verify the identity of the consumer making the request.</p>

State	Request Methods
Nebraska Data Privacy Act (NEDPA) <ul style="list-style-type: none"> <li>• <a href="#">Neb. Rev. Stat. §§ 87-1101–30 (2024)</a></li> </ul>	<p><a href="#">87-1111</a>.</p> <p>Consumer right; method to submit request.</p> <p>(1) A controller shall establish two or more secure and reliable methods to enable a consumer to submit a request to exercise consumer rights under the Data Privacy Act. The methods shall take into account:</p> <p>(a) The ways in which consumers normally interact with the controller;</p> <p>(b) The necessity for secure and reliable communications of those requests; and</p> <p>(c) The ability of the controller to authenticate the identity of the consumer making the request.</p> <p>(2) A controller shall not require a consumer to create a new account to exercise a consumer right under the Data Privacy Act, but may require a consumer to use an existing account.</p> <p>(3) Except as provided by subsection (4) of this section, if the controller maintains an Internet website, the controller shall provide a mechanism on the website for a consumer to submit a request for information required to be disclosed under the Data Privacy Act.</p> <p>(4) A controller that operates exclusively online and has a direct relationship with a consumer from whom the controller collects personal information is only required to provide an email address for the submission of a request described by subsection (3) of this section.</p>
Nevada “Internet Opt-Out” <ul style="list-style-type: none"> <li>• <a href="#">NRS 603A.345</a></li> </ul>	<ol style="list-style-type: none"> <li>1. Each operator shall establish a designated request address through which a consumer may submit a verified request pursuant to this section.</li> <li>2. A consumer may, at any time, submit a verified request through a designated request address to an operator directing the operator not to make any sale of any covered information the operator has collected or will collect about the consumer.</li> <li>3. An operator that has received a verified request submitted by a consumer pursuant to subsection 2 shall not make any sale of any covered information the operator has collected or will collect about that consumer.</li> <li>4. An operator shall respond to a verified request submitted by a consumer pursuant to subsection 2 within 60 days after receipt thereof. An operator may extend by not more than 30 days the period prescribed by this subsection if the operator determines that such an extension is reasonably necessary. An operator who extends the period prescribed by this subsection shall notify the consumer of such an extension.</li> </ol>

State	Request Methods
New Hampshire Data Privacy Act (NHDPA) <ul style="list-style-type: none"> <li data-bbox="251 266 747 325">• <a href="#"><u>N.H. Rev. Stat. Ann. §§ 507-H:1 to H:12 (2023)</u></a></li> </ul>	<p>507-H:6. Controller Responsibilities.</p> <p>I. A controller shall:</p> <p>(f) Provide an effective mechanism for a consumer to revoke the consumer's consent under this section that is at least as easy as the mechanism by which the consumer provided the consumer's consent and, upon revocation of such consent, cease to process the data as soon as practicable, but not later than 15 days after the receipt of such request;</p> <p>V.</p> <p>(a) A controller shall establish, and shall describe in the privacy notice required by paragraph III, one or more secure and reliable means for consumers to submit a request to exercise their consumer rights pursuant to this chapter. Such means shall take into account the ways in which consumers normally interact with the controller, the need for secure and reliable communication of such requests and the ability of the controller to verify the identity of the consumer making the request. A controller shall not require a consumer to create a new account in order to exercise consumer rights, but may require a consumer to use an existing account.</p>
New Jersey Data Privacy Act (NJDPA) <ul style="list-style-type: none"> <li data-bbox="251 963 731 1022">• <a href="#"><u>N.J. Stat Ann. §§ 56:8-166.4 to -166.19 (2023)</u></a></li> </ul>	<p><a href="#"><u>56:8-166.6</u></a> Controller, consumer, privacy notice, personal data; disclosure, sale.</p> <p>3. a. A controller shall provide to a consumer a reasonably accessible, clear, and meaningful privacy notice that shall include, but may not be limited to:</p> <p>...</p> <p>(5) how consumers may exercise their consumer rights, including the controller's contact information and how a consumer may appeal a controller's decision with regard to the consumer's request;</p> <p>...</p> <p>(7) an active electronic mail address or other online mechanism that the consumer may use to contact the controller.</p> <p>...</p> <p>c. A controller shall not:</p> <p>(1) require a consumer to create a new account in order to exercise a right, but may require a consumer to use an existing account to submit a verified request; or</p> <p>"Verified request" means the process through which a consumer may submit a request to exercise a right or rights established in P.L.2023, c.266 (C.56:8-166.4 et seq.), and by which a controller can reasonably authenticate the request and the consumer making the request using commercially reasonable means.</p>

State	Request Methods
Oregon Consumer Privacy Act (OCPA) <ul style="list-style-type: none"> <li>• <a href="#">Or. Rev. Stat. §§ 646A.570–589 (2023)</a></li> </ul>	<p>646A.576 Method for requesting personal data; persons who may request personal data on consumer's behalf; designation by consumer; duties of controller; process for appealing controller's refusal of consumer request.</p> <p>(1) A consumer may exercise the rights described in ORS 646A.574 by submitting a request to a controller using the method that the controller specifies in the privacy notice described in ORS 646A.578.</p>
Rhode Island Data Transparency and Privacy Protection Act (RIDTPPA) <ul style="list-style-type: none"> <li>• <a href="#">R.I. G.L. 6-48.1-1 et. seq</a></li> </ul>	<p>§ 6-48.1-4. Processing of information.</p> <p>(e) The controller shall provide customers with a mechanism to grant and revoke consent where consent is required. Upon receipt of revocation, the controller shall suspend the processing of data as soon as is practicable. The controller shall have no longer than fifteen (15) days from receipt to effectuate the revocation.</p> <p>§ 6-48.1-5. Customer rights</p> <p>(f) A customer may exercise rights under this section by secure and reliable means established by the controller and described to the customer in the controller's privacy notice.</p>
Tennessee Information Protection Act of 2023 (TIPA) <ul style="list-style-type: none"> <li>• <a href="#">TENN. CODE ANN. §§ 47-18-3301 to -3315</a></li> </ul>	<p>47-18-3305. Data controller responsibilities – Transparency.</p> <p>(e)</p> <p>(1) A controller shall provide, and shall describe in a privacy notice, one (1) or more secure and reliable means for a consumer to submit a request to exercise the consumer rights in § 47-18-3304. Such means must take into account the:</p> <p>(A) Ways in which a consumer normally interacts with the controller;</p> <p>(B) Need for secure and reliable communication of such requests; and</p> <p>(C) Ability of a controller to authenticate the identity of the consumer making the request.</p> <p>(2) A controller shall not require a consumer to create a new account in order to exercise consumer rights in § 47-18-3304, but may require a consumer to use an existing account.</p>
Texas Data Privacy and Security Act (TDPSA) <ul style="list-style-type: none"> <li>• <a href="#">Tex. Bus. &amp; Com. Code Ann. §§ 541.001–205 (2023)</a></li> </ul>	<p>Sec.541.055. METHODS FOR SUBMITTING CONSUMER REQUESTS.</p> <p>(a) A controller shall establish two or more secure and reliable methods to enable consumers to submit a request to exercise their consumer rights under this chapter. The methods must take into account:</p> <p>(1) the ways in which consumers normally interact with the controller;</p> <p>(2) the necessity for secure and reliable communications of those requests; and</p> <p>(3) the ability of the controller to authenticate the identity of the consumer making the request.</p>

State	Request Methods
Utah Consumer Privacy Act of 2022 (UCDPA) <ul style="list-style-type: none"> <li data-bbox="251 270 768 297">• <a href="#">UTAH CODE ANN. §§ 13-61-101 to -404.</a></li> </ul>	13-61-202. Exercising consumer rights. <p>(1) A consumer may exercise a right by submitting a request to a controller, by means prescribed by the controller, specifying the right the consumer intends to exercise.</p>
Virginia Consumer Data Protection Act of 2021 (VCDPA) <ul style="list-style-type: none"> <li data-bbox="251 445 796 502">• <a href="#">VA. CODE ANN. §§ 59.1-571 to -585 (West 2023).</a></li> </ul>	§ 59.1-578. Data controller responsibilities; transparency. <p>E. A controller shall establish, and shall describe in a privacy notice, one or more secure and reliable means for consumers to submit a request to exercise their consumer rights under this chapter. Such means shall take into account the ways in which consumers normally interact with the controller, the need for secure and reliable communication of such requests, and the ability of the controller to authenticate the identity of the consumer making the request.</p> <p>Controllers shall not require a consumer to create a new account in order to exercise consumer rights pursuant to § 59.1-577 but may require a consumer to use an existing account.</p>