



**For Immediate Release**

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## **MADIGAN SUES COMPANY THAT BUYS CELL PHONE RECORDS**

### ***ATTORNEY GENERAL CALLS ABUSE "PRIVACY THEFT"***

Chicago – Identifying such abuse as “privacy theft,” Attorney General Lisa Madigan today filed a lawsuit against a Florida company that for roughly \$100 and a cell phone number will use allegedly illegal means to access an individual’s cell phone or land line records.

Madigan filed the complaint today in Sangamon County Circuit Court against Kenneth Gorman, director; Steven Schwartz, secretary; and 1 st Source Information Specialists, Inc., d/b/a locatocell.com, celltolls.com, datafind.org and peoplesearchamerica.com. The company is located in Tamarac, Florida.

Madigan, who subpoenaed locatocell.com approximately two weeks ago, sued the defendants under the Illinois Consumer Fraud and Deceptive Business Practices Act.

“This entire enterprise is an outrageous invasion of personal privacy that could put lives in danger,” Madigan said. “The possibility of harm from this ‘service’ to victims of domestic violence and law enforcement is enormous. As Attorney General, I will do everything in my power to stop this abuse.”

Madigan’s complaint alleges that 1 st Source made misrepresentations to telecommunications companies to obtain phone records by calling companies and posing as the customers, agents or employees of the company; made misrepresentations to telecommunication companies online by posing as consumers to gain unauthorized access to online accounts; sold phone records illegally obtained; and misrepresented to consumers via the Web sites that they had legally obtained the call records.

Madigan said the defendants only need to be provided with a third party’s cell phone or land line telephone number to achieve their goal of obtaining the cell phone records. In fact, some of the sites offer a discount if the customer includes the consumer’s name and address along with the cell or land line number.

Using this information, defendants will provide up to 100 outgoing calls with dates within the most recent billing cycle. Defendants will also provide incoming calls if possible. Some Web sites have options to purchase additional information such as call times and duration.

The defendants can use the information they provide in a number of ways: defendants can offer a reverse look up service for both cell and land line numbers; a customer can look at the outgoing calls provided by defendants and then have the defendants turn that phone number into a name and address: both land line and cell phone reverse look up tools are available for free on the Internet.

In filing her complaint, Madigan cited recent examples of cell phone record abuse.

On January 6, 2006, a Chicago police official used locatecell.com to obtain the call records on an undercover narcotics telephone number and received accurate call records within four hours of the request.

In a separate incident in California on September 8, 2005, according to a Cingular affidavit filed in its litigation against 1 st Source, during an undercover buy, defendants or their agents posed as an employee/agent of Cingular and as a customer of Cingular to induce Cingular's customer service representative to provide them with the call records of the targeted consumer.

In her complaint, Madigan also noted the "come-on" nature of the advertising for the data broker service, including Web sites that stated, "No data returned, No Charge for the Search;" "RESULTS WITHIN 1 TO 4 HOURS!! No Hit – No Charge!" and "Reverse Cell Phone Number to Name and Address."

The complaint seeks to prohibit the defendants from operating in Illinois and seeks civil penalties of up to \$50,000 per violation of the Illinois Consumer Fraud and Deceptive Business Practices Act.

The case is being handled by Springfield Consumer Bureau Chief Elizabeth Blackston and Assistant Attorney General Philip Heimlich.

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