TCPA COMPLIANCE QUESTIONNAIRE

OVERVIEW:

In light of the recent FCC Declaratory Ruling and Order on the Telephone Consumer Protection Act (TCPA), released on July 10, 2015, MAXimum Research's Legal Privacy team has formulated a standard questionnaire for our vendors and clients to ensure our compliance.

I. COMPLIANCE WITH THE FCC DECLARATORY RULING:

(1) Please describe the ways in which your company complies with the TCPA and the FCC's regulations and rulings interpreting the TCPA.
MAXimum Research, Inc. has invested heavily over the past 2 years to ensure TCPA compliance within the call center. We subscribe to a list management service that provides daily listings of known cell phone block identifier records (i.e. 8569069###) as well as monthly lists of numbers changed (ported) from a landline to a cellphone. These 2 lists are then used by the programming department to identify and flag any "cell" records within a sample file. Flagged records are then loaded into a separate study area on the call center operations. This study area has NO KNOWLEDGE of our predictive dialer nor is the script used capable of using the dialer since all dialer logic is removed from the script. It is as if the dialer does not exist. Numbers that are not flagged as being a cell phone get loaded into our predictive dialer study area, when the system is connected to our predictive dialer.

(2) Please respond to the questions in the following Sections of this questionnaire, as applicable:
   a. If you call cell phone numbers without obtaining prior express consent or after consent has been revoked, please complete Sections II and III.
   b. If you obtain prior express consent to contact cell phone numbers, please complete Section IV.
   c. All vendors and clients should complete Section V.

II. EQUIPMENT AND SYSTEM USED FOR CALLING CELL PHONE NUMBERS:

(1) Identify and describe the equipment used for dialing cell phone numbers. Provide copies of the technical specs of the system, if available. Additionally:
   a. If cell phone numbers are dialed from a physical phone, identify the manufacturer and model of the phone and any other equipment in addition to the phone necessary for placing manually dialed calls.
   b. If manually dialed calls are placed using a computer, identify the software and equipment used for placing such calls.

The only equipment used to dial cellphones is the "PBX" and "Phone". The PBX is a custom built Asterisk FreePBX system. It is a standard Voice Over IP system, like most others on the market. The phones are Polycom Soundpoint 331's. These are basic level VoIP phones with just a handset, keypad and headset jack. Cell phone numbers are manually typed into the phone via the keypad, and then the line is connected to our provider to complete the call. No computer software is used to dial cellphone numbers.

(2) Does the equipment identified in response to question 1 have the capacity to automatically dial phone numbers?
    a. Could any modifications be made to the equipment identified in response to question 1 so that it would have the capacity to automatically dial phone numbers?

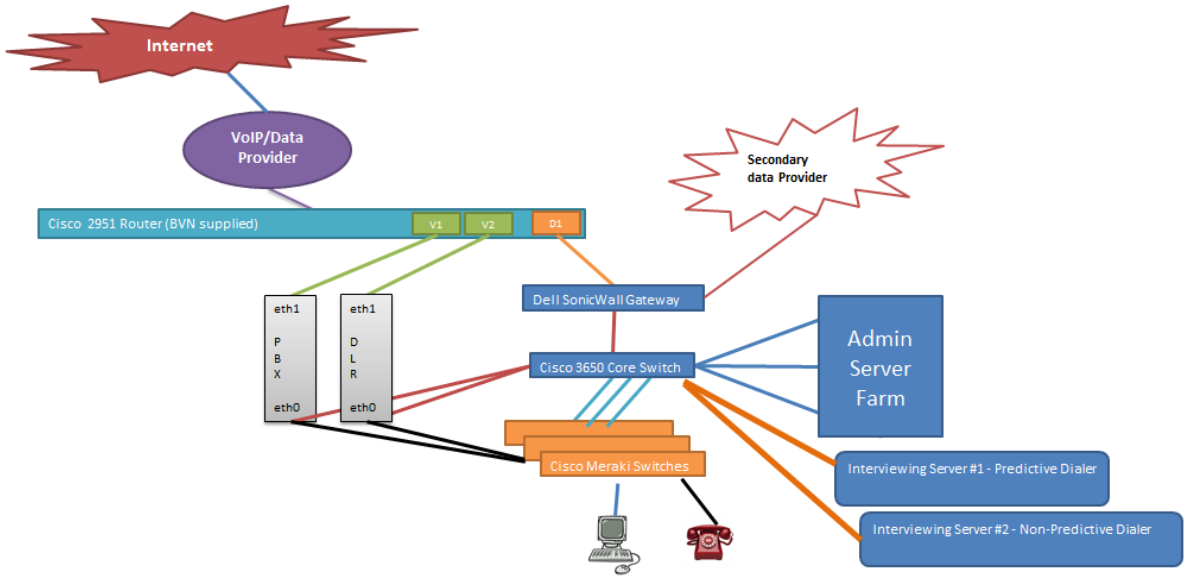
While the PBX has a module available for purchase that would allow for predictive dialing capabilities, MAXimum Research, Inc. does not own a license for this module, making that feature unavailable to the PBX and phones connected to it. The phones do not have any software or anything else that would allow predictive dialing directly through them.

(3) Describe the steps for placing a manually dialed call, beginning with what steps an agent must take to initiate the call, and ending with the call connecting to the called party
    a. Please explain the role of all equipment necessary for placing calls, including the technology used (e.g., PSTN, VOIP, etc.)

When the agent logs into our CfMC server, and select the project they are working on, it will present them with a phone number to dial. The agent will pick up their phone's handset/press the headset button, and key in the 10 digits of the phone number, followed by a #. The # tell the PBX that that is the end of the phone number, at which point the PBX connects to the VOIP provider and completes the call. Calls traverse a private fiber-optic circuit from our location to our VoIP provider.

(4) Identify all equipment that is both directly and indirectly connected to the equipment described in response to question 1.
    a. Please provide a diagram showing how the equipment is directly and indirectly connected.

Since the systems used by the company all reside on the same internal network, they are all technically connected, indirectly, via network switches. However, by using various network address ranges called subnets, we isolate the traffic between devices to only those that need to interact. The diagram below is the basic setup of the office backbone.



(5) Does any of the equipment in the diagram provided in response to question 4 have the capacity to dial automatically, either currently or after making modifications? If yes, please explain.
Yes. The Survox Dialer (labeled DLR) is specifically used for predictive dialing. However it is not connected directly, via scripts/syntax, to the non-dialer study server.

(6) Identify the equipment used for dialing non-cell phone calls and explain the dialing capabilities of that equipment. Additionally:
   a. Does the equipment have predictive dialing capabilities (i.e., equipment that dials a list of phone numbers and connects answered calls to available agents), either currently or after making modifications?
   b. Does the equipment have the ability to engage in any other automated, non-manual dialing, either currently or after making modifications?

See #5 above. The Survox dialer is specifically built to be a predictive dialer. It is also capable of dialing in both preview and power modes as well. Preview dials numbers in a 1:1 ratio, but agents only receive connected calls. The system screens out no answers, disconnects, and answering machines. Power mode dials 1:1 and the number is immediately connected to an agent, who hears the ringing and assigns the proper status manually. This is similar to dialing a number on your cell phone and then pressing the "Dial" button to make the call.

(7) Is any of the equipment that is part of the manual dialing "system" (i.e., any equipment that is depicted on the diagram provided in response to question 4) also connected, directly or indirectly, to the equipment identified in response to question 6?
   a. For example, are there shared servers, databases, or other equipment?

The only connections shared by the dialer capable and non-capable devices are the network backbone. The interviewing servers are independent, as wells as the dialer and pbx. While they can "see" each other on the network, there are no systems on place that allow true communication between them.

(8) Are manually dialed and non-manually dialed calls placed from the same booths, or are there separate booths for such calls?
Dialing is done from the same stations, but the agents connect differently. The Polycom phones have 2 lines programmed. One connects to the PBX for manual dialing, while the other connects to the dialer for predictive dialing. The dialer is not capable of manually dialing out a phone number. All numbers have to be "delivered" from the study server to it. This prevents agents from accidentally dialing cell phone numbers manually from the dialer machine.

III. SEGREGATION OF CELL PHONE NUMBERS:

(1) Explain your procedures for identifying and segregating cell phone numbers.
We subscribe to a list management service that provides daily listings of known cell phone block identifier records (i.e. 8569069###) as well as monthly lists of numbers changed (ported) from a landline to a cellphone. These 2 lists are sent to us daily, via FTP and then used by the programming department to identify and flag any "cell" records within a sample file.

(2) Explain your procedures for ensuring that cell phone numbers are dialed using the manual dialing process described above.
Once sample has been identified as a cell number via the steps above, the programming department moves that sample file over to the non-dialer server to load it into the survey tool. Surveys written on the non-dialer server have no script logic in them to use a dialer, and the server itself has none of the syntax applied telling it there is a dialer in the building.

IV. PRIOR EXPRESS CONSENT:

(1) Describe the process you use to obtain prior express consent to call cell phone numbers using automated equipment.
No automated equipment is used to dial cell phone records.

(2) Provide a copy of the language you use to obtain consent to call cell phone numbers using automated equipment.
No automated equipment is used to dial cell phone records.

V. COMPLAINTS AND LITIGATION

(1) Have you been a party to a lawsuit alleging a violation of the TCPA? If yes, please explain.
No.

(2) Have you ever placed calls that have been the subject of a lawsuit alleging a violation of the TCPA (i.e., you placed the calls, but a lawsuit was brought against another party)? If yes, please explain.
No

(3) Have you ever received informal complaints that calls you placed violated the TCPA?
   a. If yes, please indicate how frequently you receive such complaints.
   b. Do you have a process in place to address such complaints? If so, please explain.

No Complaints to date. Should a complaint come in, the phone number will immediately be searched for on ANY study running on the predictive dialer study server. If the number is found, we will follow the number back through the identification process and determine why it was not flagged by our systems. The mostly cause would be a respondent who's home/landline number was forwarding to a cellphone. In this case, we followed all possible procedures and are not a fault.