UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

FEDERAL TRADE COMMISSION, and the STATE OF FLORIDA, Plaintiffs, v. VYLAH TEC LLC, a limited liability company, also d/b/a VTEC SUPPORT; EXPRESS TECH HELP LLC, a limited liability company; TECH CREW SUPPORT LLC, a limited liability company; ANGELO J. CUPO, individually and as owner and CEO of Vylah Tec LLC and as manager of Tech Crew Support LLC; ROBERT CUPO, individually and as manager of Vylah Tec LLC, as owner, manager, director and officer of Tech Crew Support LLC, and member of Express Tech Help LLC; and DENNIS CUPO, individually, and as manager of Express Tech Help LLC, and as owner, officer and manager of Tech Crew Support LLC, Defendants,	2:17-cv-00228-UA-MRM

AMENDED NOTICE OF DEPOSITION

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff Federal Trade Commission and State of Florida will take the deposition of Defendant Vylah Tec LLC, also d/b/a Vtec Support. You are instructed to designate one or more

officers, directors, or managing agents, or designate other persons who consent to testify on its behalf who can testify about the following matters of examination: (1) The origin and formation of Vylah Tec LLC; (2) The job titles and duties of the employees and principals; (3) the total number and identification of employees and principals who worked at Vtec; (4) The defendants' hiring, firing and disciplinary procedures and circumstances of hiring and disciplining of employees; (5) The defendants' day to day operations, including their policies and procedures;; (6) The defendants' use of employee monitoring and the related policies and procedures (7)

The defendants' procurement of agreements with lead generators, and banking and financial institutions, including payment processors; (8). The defendants' creation, content, distribution and use of scripts when interacting with consumers, including the identification of the author of scripts, the time periods that scripts were in use, that employees who used the scripts and the basis for the claims made about software in the defendants' sales scripts. (9).

The defendants' use of remoting services to directly access consumers' computers; (10) The defendants' use of pop up message advertising ("pop ups"), including identifying the period of time(s) that defendants used pop ups, descriptions of the pop ups, the use of the pop ups, the origin of the pop ups, and the identity of and communication with any vendors of the pop ups; and an explanation of how consumers would come into contact with the defendants through the use of pop up advertising; (11) The defendants' agreement with Avanquest North America LLC to provide technical support services to shopping channel customers of HSN, QVC, and EVine Live, including the time periods that the defendants serviced each of the shopping channels; (12) The technical certifications held by the defendants, such as with Microsoft, Apple, Norton, CISCO Systems, Inc., and CHSE Certified HIPPA Security Experts; (13) The development of

the defendants' websites, www.vylahtec.com, www.expresstechhelp.com, www.techcrewsupport.com; (14) The nature and content of information provided to the defendants by HSN and Avanquest North America LLC about the customers and their purchase; (15) The total amount of gross revenue, generated by the defendants for sales January 2014 - May 2017; and (16) the total amount of chargebacks, and refunds resulting from the defendants sales January 2014 - May 2017.

Attached, pursuant to Rules 30(b)(2) and 34 of the Federal Rules of Civil Procedure is a Request for Production of Documents, which designates certain documents that the defendant Vylah Tec LLC shall bring to its deposition. See **Attachment A**.

Pursuant to FRCP 30(b)(3), the deposition will be conducted upon oral examination and recorded by stenographic means. The deposition will take place at the U.S. Attorney's Office, Middle District of Florida, 2110 First Street, Suite 3-137, Fort Myers, FL 33901 on **Friday, January 19, 2017,** at **9:00 AM.**

CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2017 I electronically filed the foregoing document with the Clerk of the Court using *CM/ECF*. I also certify that the foregoing document is being served today on all counsel of record identified on the attached Service List in the manner specified via transmission of Notice of Electronic Filing generated by *CM/ECF*, which will automatically send email notification of such filing to the counsel of record.

Respectfully submitted,

s/Robin L. Rock

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