

Southern California Telephone Company

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COMMISSION
CLERK

LETTER OF PROTEST

Monday, October 17, 2011

Clerk's Office
Florida Public Services Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850



Kevin Reno

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Re: DOC 110259

Southern California Telephone Company hereby protests the application for CLEC Authority requested by Todd Rosenschein and Jarrod Menz (Docket # 110259)

Such application was made in bad faith and contains a knowingly false statement as Todd Rosenschein had previously sold the "Mextel" name to Southern California Telephone Company

Southern California Telephone Company currently has a Breach of Contract Lawsuit, and Temporary Restraining Order in place against Todd Rosenschein. (See Riverside County Superior Court Case # RIC 1113811) The filing for CLEC authority was received by your office 3 days (9/29/2011) after the TRO was granted (9/26/2011)

Included as public documents in this case is Declaration of Todd Rosenschein whereby he states that he sold "Mextel" to SCTC. (See attached declaration.)

As outlined in the above mentioned case, Todd Rosenschein has conspired with others to cause harm to Southern California Telephone Company. The attempt to establish CLEC authority within the state of Florida is a continuation of those fraudulent efforts.

Southern California Telephone Company strongly requests that the Florida Public Service Commission deny this request for CLEC authority. SCTC is available to supply any supporting documentation that may be requested of us.

Please notice us on this and any other cases involving Todd Rosenschein or Jarrod Menz.

Sincerely,

Kevin Reno
Vice President
Southern California Telephone Company

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DOCUMENT NUMBER-DATE

07640 OCT 18 =

27515 Enterprise Circle West - Temecula, CA 92590

FPSC-COMMISSION CLERK

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RIVERSIDE SUPERIOR COURT

PUBLIC ACCESS

Civil Case Report

 Camera indicates that a document may be purchased
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Case RIC1113811 - SOUTHERN CALIFORNIA TELEPHONE VS ROSENSCHEIN

Case RIC1113811 - Complaints/Parties

Complaint Number: 0001 — CMP Complaint of SOUTHERN CALIFORNIA TELEPHONE CO
Original Filing Date: 08/19/2011
Complaint Status: ACTIVE

Party Number	Party Type	Party Name	Attorney	Party Status
1	Plaintiff	SOUTHERN CALIFORNIA TELEPHONE CO	BAKER & BAKER	First Paper Fee Paid
2	Defendant	TODD ROSENSCHEIN	REDWINE & SHERRILL	Answer 10/11/2011
3	Defendant	MARTIN MORENO	Unrepresented	Serve Required (WaitS)

Case RIC1113811 - Actions/Minutes

Viewed	Date	Action Text	Disposition	Image
	02/16/2012 8:30 AM DEPT. 06	CASE MANAGEMENT CONFERENCE HEARING		
	11/17/2011 8:00 AM DEPT. CLERK	NON-PROOF OF SERVICE (NON-APPEARANCE) HEARING		
	10/24/2011 9:00 AM DEPT. 02	HEARING RE PRELIMINARY INJUNCTION		
N	10/11/2011	MEMO OF POINTS & AUTHORITIES IN OPPOSITION OF/TO MTN FOR PRELIMINARY INJUNCTION BY TODD ROSENSCHEIN FILED.	Not Applicable	
N	10/11/2011	GENERAL DENIAL TO COMPLAINT FILED 08/19/2011 OF SOUTHERN CALIFORNIA TELEPHONE CO BY TODD ROSENSCHEIN REPRESENTED BY REDWINE & SHERRILL FILED.	Not Applicable	

	09/26/2011 9:00 AM DEPT. 02	HEARING RE PRELIMINARY INJUNCTION	Continued Not Heard	
<p>Minutes Print Minute Order</p> <p>HEARING CONTINUED (NOT HELD) TO 10/24/11 AT 09:00 IN DEPARTMENT 02. REASON FOR CONTINUANCE: STIPULATION FOR CONTINUANCE SUBMITTED TEMPORARY RESTRAINING ORDER REMAINS IN FULL FORCE AND EFFECT TEMPORARY RESTRAINING ORDER EXPIRES 10/24/11</p>				
N	09/15/2011	STIPULATION AND ORDER FOR CONTINUE HEARING ON PRELIMINARY INJUNCTION IS GRA; HONORABLE COMMISSIONER PAULETTE DURAND-BARKLEY.	Not Applicable	
	09/13/2011	STIPULATION AND ORDER FEE PAID BY TODD ROSENSCHEIN	Not Applicable	
<p>Minutes Print Minute Order</p> <p>Receipt: 110913-0475 \$20.00</p>				
	09/13/2011	FIRST APPEARANCE FEE PAID BY TODD ROSENSCHEIN	Not Applicable	
<p>Minutes Print Minute Order</p> <p>Receipt: 110913-0477 \$410.00</p>				
N	08/26/2011	PROOF OF SERVICE ON THE COMPLAINT FILED 08/19/2011 OF SOUTHERN CALIFORNIA TELEPHONE CO SERVED ON TODD ROSENSCHEIN WITH SERVICE DATE OF 08/24/11 FILED.(PERSONAL SERVICE)	Not Applicable	
N	08/26/2011	ORDER FOR EX PARTE APPLICATION FOR TEMPORARY RESTRAINING IS GRA AND FILED; HONORABLE COMMISSIONER PAULETTE DURAND-BARKLEY.	Not Applicable	
	08/26/2011 9:30 AM DEPT. 02	HEARING RESERVED FOR EX PARTE HEARING RE: EX PARTE APPL. FOR TRO.	Calendared (Reservation Hearings)	
	08/26/2011 9:30 AM DEPT. 02	EX PARTE HEARING RE APPLICATION RE: TRO AND ORDER FOR PRELIMINARY INJ..	Granted	
<p>Minutes Print Minute Order</p> <p>HONORABLE COMMISSIONER PAULETTE DURAND-BARKLEY, PRESIDING CLERK: L. HOWELL COURT REPORTER: D. O'LEARY SOUTHERN CALIFORNIA TELEPHONE CO REPRESENTED BY BAKER & BAKER - WILLIAM E. BAKER, JR. PRESENT. MARTIN MORENO PRESENT-PRO PER TODD ROSENSCHEIN PRESENT-PRO PER TEMPORARY RESTRAINING ORDER GRANTED. GRANTED AS TO TODD ROSENSCHEIN ONLY TRO TO ISSUE OSC TO ISSUE OPPOSITION AND REPLY DUE AS SERVED AND FILED PER CODE. HEARING ON PRELIMINARY INJUNCTION SET FOR SEPTEMBER 26, 2011 AT 9:00 A.M. IN DEPARTMENT 2.</p>				
N	08/25/2011	PROOF OF SERVICE OF EX PARTE APPLICATION AND RELATED DOCUMENTS SERVED ON TODD ROSENSCHEIN SERVED 08/24/11 FILED (NON-COMPLAINT)	Not Applicable	

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N	08/25/2011	DECLARATION OF ROBERT W BROWN IN SUPPORT OF PLTFS TRO FILED	Not Applicable	
N	08/25/2011	DECLARATION OF PHILLIP COW IN SUPPORT OF PLTFS TRO FILED	Not Applicable	
N	08/25/2011	MEMO OF POINTS & AUTHORITIES IN SUPPORT OF/TO EX PARTE APPLICATION FOR TRO AND ORDER FOR PREL IN BY SOUTHERN CALIFORNIA TELEPHONE CO FILED.	Not Applicable	
N	08/25/2011	DECLARATION OF KEVIN RENO IN SUPPORT OF PLTFS TRO FILED	Not Applicable	
N	08/25/2011	DECLARATION RE: NOTICE ON PLTFS APPL FOR TRO AND PRELIMINARY FILED	Not Applicable	
N	08/25/2011	DECLARATION RE: NOTICE ON PLTFS APPL FOR TRO PRELIMINARY INJ FILED	Not Applicable	
	08/25/2011	EX PARTE HEARING SET ON 8/26/11 AT 9:30 IN DEPT 02		
	08/25/2011	MOTION HEARING RESERVATION RE: EX PARTE APPLICATION SET FOR 08/26/11 AT 09:30 IS CONFIRMED.	Not Applicable	
N	08/25/2011	EX PARTE APPLICATION TO/FOR TRO AND ORDER TO OSC RE: PRELIMINARY INJUNCTION BY SOUTHERN CALIFORNIA TELEPHONE CO FILED	Not Applicable	
	08/24/2011	FEE PAID FOR ON-LINE RESERVATION OF MOTION (\$40.00). CONFIRMATION NUMBER RES3368 FOR HEARING RESERVED ON 08/26/11.	Not Applicable	
<p>Minutes <input type="button" value="Print Minute Order"/></p> <p>Receipt: 110824-0392 \$40.00</p>				
	08/23/2011	HEARING RESERVED FOR EX PARTE HEARING SET 08/26/11 AT 9:30 IN DEPT. 02 - RES3368.		
N	08/19/2011	SUMMONS ON COMPLAINT FILED 08/19/2011 OF SOUTHERN CALIFORNIA TELEPHONE CO FILED	Not Applicable	
N	08/19/2011	CERTIFICATE OF COUNSEL FILED.	Not Applicable	
	08/19/2011	CASE IS ASSIGNED TO DEPARTMENT 02 FOR LAW AND MOTION PURPOSES.	Not Applicable	
	08/19/2011	NON PROOF OF SERVICE HEARING SET FOR 11/17/11 AT 8:00 IN DEPT CLERK		
	08/19/2011	DIRECTLY ASSIGNED TO DEPARTMENT 06 FOR CASE MANAGEMENT PURPOSES.		
N	08/19/2011	COMPLAINT FILED FAST TRACK - SUMMONS ISSUED.	Not Applicable	
<p>Minutes <input type="button" value="Print Minute Order"/></p> <p>Receipt: 110822-0240 \$410.00</p>				

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Case RIC1113811 - Pending Hearings

<i>Date</i>	<i>Action Text</i>	<i>Disposition</i>	<i>Image</i>
10/24/2011 9:00 AM DEPT. 02	HEARING RE PRELIMINARY INJUNCTION		
11/17/2011 8:00 AM DEPT. CLERK	NON-PROOF OF SERVICE (NON-APPEARANCE) HEARING		
02/16/2012 8:30 AM DEPT. 06	CASE MANAGEMENT CONFERENCE HEARING		

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DECLARATION OF TODD ROSENSCHEIN

I, TODD ROSENSCHEIN, declare as follows:

1. In or about September, 2009, I owned and operated a communications company called Mextel Communications ("MEXTEL"). As owner and operator of MEXTEL, I had been aware of A Better Tomorrow Treatment Center ("ABT"), as prior to the sale of MEXTEL to SCTC, I made recommendations to SCTC for services to ABT. During this service, SCTC requested that I assist SCTC in determining what services SCTC should propose and sell to ABT. I did assist and provide my opinions, based on ABT's needs. I did not sign any confidentiality agreement for this service.
2. In or about September, 2009, I negotiated the sale of MEXTEL to SCTC. This transaction was done via an oral contract. The agreement was for my services, as well as the purchase of the MEXTEL customers. Under this agreement, I would be employed by SCTC, be paid a salary, and receive an allowance for the rental of a residence and automobile.
3. In or about January, 2011, I was brought into the office of Greg Michaels, President and CEO of SCTC ("MICHAELS"), and informed that my salary would be greatly reduced, and that the allowances would be discontinued, resulting my compensation being reduced to half of the prior amount. MICHAELS requested that I sign a document accepting the reduction, but I refused.
4. In his position at SCTC, I gave other employees the authority to relocate SCTC equipment. It was also common for me to relocate equipment without any paperwork.
5. On or about July 1, 2011, I was provided a verbal request by Voipwell ("VOIPWELL") to return a server owned by VOIPWELL to VOIPWELL. As part of that request, and as part of my duties at SCTC, I pulled the VOIPWELL server at the Intelsat location, and shipped that server back to VOIPWELL.
6. During his employment at SCTC, and continuing after his resignation, I operated a Facebook page. Access to one of my Facebook sites is restricted to those "friends" granted access by the page's owner, me. Upon hearing erroneous allegations of his having been fired from SCTC, I posted his letter

of resignation on that SCTC employee-only access Facebook page. The information in this letter was only accessible to select SCTC employees. No one outside of SCTC employees had access to the contents of the letter of resignation.

7. On or about December of 2010, SCTC learned that ABT had hired an outside contractor to perform specific networking needs. I, along with Kevin Reno ("RENO"), Vice president of operations at SCTC, Martin Moreno ("MORENO"), and others, knew that this outside contractor was performing those specific networking needs. On or about June of 2011 SCTC Greg Michaels stated that SCTC would be interested in providing those services to ABT, and requested that I contact ABT regarding providing those services. I was the only employee at SCTC with any experience with that service. The service provided would have been a full time job. Due to lack of staff with sufficient knowledge of the services the outside contractor was providing to ABT, SCTC would not have been in a position to provide those services to ABT. ABT staff also report that if it had been offered a contract for those services with SCTC, at the time they might have been offered, ABT would have declined to receive those services through SCTC as the services had been completed by the outside contractor at that point.

8. In or around May 2, 2011, I was told by MICHAELS of the alleged scheme by MORENO to sabotage SCTC, in a meeting with Mr. Michaels, MORENO, myself, and another employee. This meeting was the first that I had heard of any alleged scheme. I was never involved in, participated in, or active in the planning of any such alleged scheme by MORENO. I did not talk discuss the alleged plot by MORENO with anyone, other than when I was questioned during this meeting.

9. My eventual employment with ABT was in no way related to anything concerning MORENO. MORENO was terminated more than two months before I resigned from SCTC. MORENO did not talk to me about my potentially leaving SCTC. I had been looking for alternate employment since the date he was notified that his compensation at SCTC would be decreased by half. I had knowledge of ABT prior to my employment at SCTC, and any knowledge of MORENO.

10. On July 15, 2011, I visited the urgent care, received treatment, and was ultimately rushed by ambulance to the cardiac unit. I was released after approximately eight hours of care. On July 18, 2011, I requested a medical leave, as recommended by my doctor, which was denied by RENO. I decided to complete my pending projects, and resigned later that day. On July 19, 2011, I contacted Mike Stetar at ABT, seeking employment.

11. After my resignation from SCTC, I remained in telephonic contact with Mark Theis, an SCTC employee. During these conversations, I only provided technical assistance to this employee.

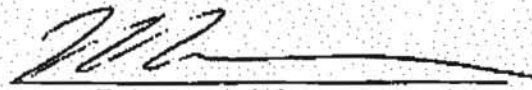
12. I has never contacted any SCTC employees with the purpose of convincing them to quit their existing jobs with SCTC, or in order to convince them to seek employment with ABT, or any other company. I is aware of two to three current or former SCTC employees that have applied to ABT for employment, however I had nothing to do with persuading them to apply, or with the decision regarding their potential hiring at ABT.

13. I did not destroy paper copies of records or delete electronic records, apart from my standard job duties at SCTC, which have nothing to do with the facts of this case.

14. That the foregoing facts are within my personal knowledge and if called as a witness I could and would competently testify thereto.

I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed this 11 day of OCT, 2011 at Amecola, California.


Todd Rosenschein