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June 2, 2010

Andrew Cuomo  
New York Attorney General  
Department of Law  
Internet Fraud  
Albany, New York 12224  
1-800-771-7755

Re: Yodle, 50 West 23rd Street, Suite 401, New York, NY 10010

Dear Attorney General Cuomo:

I would like to file a criminal complaint against Scott Long, Brad Leitch and Yodle.

They have illegally set up a mirror image of my web site to intercept and read my e-mails and possibly my phone calls even though they were expressly told not to as documented by my e-mails to them on or about May 3, 2010. Intercepting and reading my e-mails is illegal as they were not authorized to do so.

I also believe they are running a scam in that they tell clients that the management fee to do the advertising is \$69.00 per month and then claim they need \$750 per month for the advertising. I believe they do some advertising and then pocket what they do not spend and do not refund what wasn't spent in order to pocket hundreds of dollars extra each month from each client. This is where they are making the money, not on the management fees.

May 11, 2010 Received e-mail from Scott stating "Brad and I have received your requests, but as we do have an agreement for an initial 3 months of advertising at \$750 per month and a \$69 per month management fee, we are unable to refund any monies already placed toward advertising. ..."

May 28, 2010 received e-mail from Scott - Monthly performance report.

According to the report, I had 28 Unique visitors, 75 page views, 21 clicks, 8 calls & e-mails. Google charges by the number of clicks. At 21 clicks, means I paid \$35.71 per click. Google runs from pennies to a couple of dollars a click. Even assuming they are paying \$3 per click my advertising should have been around \$63 for the month. What happened to the other \$690 of advertising they were suppose to do? In Yodle's pocket? Commissions? It is fraud for them to keep this extra \$690.

They were also suppose to be advertising on other search engines including Yahoo. According to Yahoo, they did no advertising as of May 27, 2010. According to their Monthly Report

they only advertised with Google. How much did they pay Google for each click?

I offered to pay their management fees for the three months totaling \$207.00 (3 x \$69) as that was how long my contract was for. They refused. After the first charge, I told them I did not want them to do the advertising and they were not to spend any of my money on advertising. They then charged my account again for \$813.00 on May 28, 2010.

I also believe that they may be getting advertising "kick backs" from the different internet providers. I believe they are paying a higher rate and then getting money back based upon the amount of advertising done.

The question is why would they want the full amount including the advertising dollars when I offered to pay them their "so called" management fee and they refused. They would be getting paid for doing nothing. I believe they are making hundreds of dollars one way or another on the advertising or lack thereof. Why are they allowed to keep the advertising dollars they do not spend? I believe they are doing this to thousands of clients and the clients don't know it. The New York Attorney General's Office needs to investigate this form of internet fraud. I believe that they have also committed wire fraud as they collected the money over the internet and never did the advertising they were suppose to do.

I want them prosecuted for illegally intercepting my e-mails which are attached showing that they not only intercepted them but also read them which they did not have my permission to do. I believe this is a crime.

The following is a summary of the order of events. Copies of all e-mails attached for your convenience.

April 8, 2010 received e-mail from Scott about setting up account.

April 30, 2010 at 11:25 am - sent e-mail to Brad telling I could not afford to do the advertising with him.

On April 30, 2010 received e-mail from Scott showing phone calls made to me from web site. My service was not to have begun until May 3, 2010. That is why I only paid the \$69 management fee on April 8 and told them to wait until May 3, 2010. The e-mail shows that they were using my account by April 20, 2010.

May 3, 2010 sent e-mail to Scott as a followup to Brad's e-mail.

May 3, 2010 sent e-mail to Scott that they were not to use a mirror image of my web site or recording my conversations. Further, I stated that the advertising was not to have begun until May 3, 2010.

May 3, 2010 received e-mail from Scott to talk on phone.

May 4, 2010 sent e-mail to Scott. Discovered that they had charged my account \$750 on April 30, 2010. Told them that they did not have my permission to record my phone conversations with anyone and they did not have my permission to use a mirror image of my web site.

May 4, 2010 Received call from Brad stating that they had charged my account on April 30, 2010 before I e-mailed them and that is when they launched my account. (My account was not to have been started until May 3, 2010.)

May 6, 2010 - sent e-mail to Scott **telling them that they were not to spend any more of my money on any type of ads.** Told them I was not contesting the management fee of \$69 previously paid. Offered to settle matter.

May 7, 2010 Received e-mail from Brad stating I signed an agreement for 3 months of their service with budget included and the issues should not be discussed through e-mails but over the phone.

May 11, 2010 Received e-mail from Scott stating "Brad and I have received your requests, but as we do have an agreement for an initial 3 months of advertising at \$750 per month and a \$69 per month management fee, we are unable to refund any monies already placed toward advertising. ..."

As stated above, you put so much into your advertising account and then when it runs low, Google will notify you and you can replenish it. I am sure they did not put the full \$750 into the Google advertising. I would expect that the full \$750 was spent on advertising. I don't believe it was as will be further documented.

May 13, 2010 - Stated that the most I would owe them would be \$138 for the two months remaining on the management fee. That they were either getting "kick back" on the advertising or they were pocketing most of the \$750.00. Told them I would file a complaint with the New York State Attorney General's Office if I didn't get my refund.

May 13, 2010 Received e-mail from Scott with copy to Brad stating my issues should be discussed over the phone. (Guess they didn't want anything in writing.)

May 14, 2010 Received e-mail from Scott stating I had an e-mail who it was from and the comments of the e-mail. This is an invasion of privacy and they were able to obtain this e-mail because they have a mirror image of my web site. Scott had no right to intercept and read my e-mail. This was from a client I had already filled out some divorce papers for last year and then she moved out of state after getting them.

May 14, 2010 Received 2nd e-mail from Scott stating I had an with name of person and their comments. Again this was an invasion of privacy as Scott had no authority to intercept and read my e-mail.

May 27, 2010 received a call from Yahoo checking to see if I had given Yodle permission to advertise my web site with them. I told them NO. Obviously, they did no advertising with them for the month of May even though they told me that they would be advertising with Google and Yahoo and other companies.

May 28, 2010 received e-mail from Scott - Monthly performance report. According to the report I had six calls and it lists the phone numbers and length of call.

More importantly the report states I had 28 Unique visitors, 75 page views, 21 clicks, 8 calls & e-mails. Google charges by the number of clicks. At 21 clicks, means I paid \$35.71 per click. Google runs from pennies to a couple of dollars a click. Even assuming they are paying \$3 per click my advertising should have been around \$63 for the month. What happened to the other \$690 of advertising they were suppose to do? In Yodle's pocket? Commissions?

June 1, 2010 - sent e-mail to Scott on how to get my monthly report as I did not have a user name or password.

June 1, 2010 - sent e-mail to Brad repeating I did not have a user name or password and again repeated that they were not to be using a mirror image of my web site. That my credit card number had been changed. Mentioned Yahoo.

June 1, 2010 Received e-mail from Brad claiming they were not intercepting my phone calls. No mention of them intercepting my s.

June 1, 2010 sent e-mail to Brad stating that they are not to spend any of my money and that their service was useless.

June 1, 2010 Received e-mail from Brad stating he had notified me previously on how to access my account. Sent e-mail stating never received it.

If you need further information, please contact at the above phone number or mailing address.

Sincerely yours,

  
 Charles E. Collins, III