

**Exhibit 1 – Transcript of Call Between Delci Lev and Vertrue/Adaptive
Marketing Call Center Supervisor – February 2009**

In February 2009, a Connecticut consumer named Delci Lev called Vertrue to ask about the \$19.95 monthly fees a Vertrue service called “Privacy Matters 1-2-3” was charging her credit card. Because Ms. Lev seemed upset and said she wanted to speak to a supervisor, her call representative (“Monica”) “escalated” Ms. Lev to a supervisor (“Teresa”) through a so-called “warm transfer.” After repeatedly using Vertrue’s “Terms and Conditions” language to explain that Ms. Lev was not entitled to a refund, Teresa finally agreed to refund Ms. Lev’s charges after Ms. Lev threatened to call the Attorney General of her state. An audio recording of this call is attached as an exhibit to this staff report.

Supervisor: Thank you for calling, this is Teresa, can I have your ID number, please?

Call Rep: 22716

Supervisor: Thank you, Monica. The nature of the call?

Call Rep: Um, I’m really not sure what Ms. Lev wants because she won’t allow let anyone to talk. But, I canceled her services anyway. She wants to speak to a supervisor. So, apparently, she didn’t like the way that I was speaking. The ID number is 247967310.

Supervisor: For Delci Lev?

Call Rep: Yes.

Supervisor: Transfer.
Ms. Lev?

Ms. Lev: Mmm Hmm

Supervisor: Good afternoon, my name is Teresa and I’m gonna be assisting you further, Ma’am. How may I help you?

Ms. Lev: Umm, your company keeps charging me 19.95 a month. It’s the privacy manager. This is the second or third month. I keep calling to find out (A) what these alleged services are and (B) to cancel whatever these alleged services are. I don’t get through to anybody who makes any sense. Nobody can even tell me what your services are. Now, I want it cancelled. I don’t care what you’re selling. I’m not interested. I don’t even know how you got my credit card number.

Supervisor: Okay, Ma’am, we apologize for that inconvenience. At this time, your account is canceled and you will no longer be charged.

Ms. Lev: But you have to credit me for three months of charges.

Supervisor: Unfortunately, according to the terms and conditions of the program to which you agreed you're actually not entitled.

Ms. Lev: What terms? What did I allegedly agree to?

Supervisor: Well, Ma'am we show here that you [pause]

Ms. Lev: Hello?

Supervisor: Yes, Ma'am.

Ms. Lev: What did I allegedly agree to?

Supervisor: [clearing throat] Excuse me. We show in our system that you accepted this membership on a website Ma'am.

Ms. Lev: What membership?

Supervisor: Bear with me one second. It's for Privacy Matters 1-2-3. The Membership is a membership that offers you your credit report. Once again I'm sorry for that inconvenience. We show that you accepted this on a website called Classmates.com. They offered you the membership for seven days of trial. Since you didn't call and cancel, that's the reason why they charged you Ma'am.

Ms. Lev: I didn't accept anything.

Supervisor: One second, I'm so sorry about that inconvenience.

Ms. Lev: This is fraud. Okay. You credit my account immediately. What is the full name of this company and where are you located?

Supervisor: Adaptive Marketing. And our...

Ms. Lev: A-d-a- Adap- A-d-a-p-tive... what is...Marketing?

Supervisor: Yes Ma'am.

Ms. Lev: Who is the president of your company?

Supervisor: Gary Johnson.

Ms. Lev: Mary Johnson?

Supervisor: Gary Johnson.

Ms. Lev: Gary Johnson. And where is Gary Johnson located?

Supervisor: Our mailing address is P.O. Box 5152. Des Plaines (That's D-E-S, Plaines, P-L-A-I-N-E-S), Illinois. 60017, Ma'am.

Ms. Lev: Um, I want his phone number.

Supervisor: He doesn't have a direct line Ma'am.

Ms. Lev: Find a phone for me.

Supervisor: There is no direct line for him Ma'am.

Ms. Lev: Look. Cancel this and credit my credit cards with two or three months of service.

Supervisor: Your account is cancelled and you will no longer be charged.

Ms. Lev: And credited.

Supervisor: The terms and conditions to which you agreed stated that you are not entitled to receive...

Ms. Lev: No I didn't sign anything...

Supervisor: ...any refunds at the point of cancellation.

Ms. Lev: Okay. Here we go, Attorney General, Department of Consumer Affairs. You got it Teresa. What's your number?

Supervisor: As a confirmation of this call?

Ms. Lev: No what is your...

Supervisor: My name is Teresa. My ID number is 153051. You will receive your two credits within two business days and you will no longer be charged.

Ms. Lev: I'm going to receive my credits or I'm not? What's the confirmation number for this call?

Supervisor: My ID number will be the confirmation number for the call.

Ms. Lev: 153051?

Supervisor: That is correct Ma'am. Once again sorry for the inconvenience and for calling Privacy Matters.