



Exploding The Phone

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Bibliographic Cover Sheet

Title	Pacific Telephone & Telegraph v. Teletronics Company of America, Los Angeles Superior Court -- Judgment and Injunction
Date	1975-00-00
Abstract	Unsigned judgment and order in Teltronics case.
Keywords	Pacific Telephone and Telegraph Company (PTT); Teletronics Company of America (TCA); Jack Kranyak; John Reynolds; Bill Homuth; Donald Simmones; Robert Klein; David Rees; David Autovon
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15 TELEGRAPH COMPANY

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY,

Plaintiff,

vs.

JACK KRANYAK, doing business
as TELETRONICS COMPANY OF
AMERICA; JACK KRANYAK,
individually; JOHN REYNOLDS;
BILL HOMUTH; DONALD SIMMONES;
ROBERT KLEIN; DAVID REES;
DAVID AUTOVON; DOES 1 through
100, inclusive, ROES A
through O, inclusive,

Defendants.

No. NWC 45558

JUDGMENT AND INJUNCTION

W H E R E A S :

Plaintiff THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY,
a corporation, by and through its attorneys of record, and
defendants JACK KRANYAK, aka JACK COLE, individually and doing
business as TELETRONICS COMPANY OF AMERICA, BILL HOMUTH and DAVID
REES, having stipulated in writing in the above entitled cause
to waive a trial, findings of fact and conclusions of law, and to

Scrambler") or the making or giving of any lectures, talks or other communications informing the reader

(i) how to build, use or avoid detection in the use of any instrument, scheme or device which may be used to avoid any lawful charge for telephone service, or

(ii) how to interconnect any device to telephone lines or instruments where such interconnection is in violation of any applicable tariff of plaintiff or the American Telephone and Telegraph Company on file with the Public Utilities Commission of the State of California or the Federal Communications Commission of the United States, or build any such interconnection device or avoid detection in the use of same, or

(iii) how to modify telephone lines or instruments where such modification is in violation of said tariffs, or how to avoid detection after any such modification.

(b) The distribution or placing of any and all advertising soliciting the purchase of any of the materials referred to above.

(c) Making, manufacturing, using, copying, selling, distributing or giving away any multifrequency generator device or other electronic toll fraud device intended to be used or which could be used with, on or over plaintiff's telephone facilities, or with, on or over the telephone facilities of any telephone company, to make, complete or receive telephone calls;

(d) Making, copying, selling, distributing, giving away, advertising or announcing the selling, distributing or giving away of any drawing, sketch, photograph, paper, instructions or description purporting to describe a multifrequency generator device or other electronic toll fraud device, or how to fabricate, manufacture, build or operate such a device;

(e) Divulging any information reasonably calculated to lead or which might lead to the revelation of a description or the method of operation or the construction of a multifrequency generator device or other electronic toll fraud device, including suggestions where a description, sketch, photograph, design or other information concerning such a device may be obtained or found, to anyone other than plaintiff or plaintiff's attorneys;

(f) Divulging any information reasonably calculated to lead or which might lead to the revelation of any method or scheme useful in perpetrating telephone toll credit card fraud;

(g) Divulging any information reasonably calculated to lead or which might lead to the revelation of any method or scheme useful in perpetrating the fraudulent use of public pay telephones;

(h) Divulging any information reasonably calculated to lead or which might lead to the revelation of any method or scheme useful in the perpetration of any sort of telephone toll fraud in addition to that referred to above, such as causing a person to be billed for a toll (or message unit or multmessage unit) telephone call not placed by such person or causing telephone charges to accumulate against a telephone number other than the one on which the call originated or other than subscribed to by the originator of the call.

2. Defendants, and each of them, are restrained and enjoined for a period of three (3) years from the date of this Judgment and Injunction from publishing and/or distributing any and all material (including, but not limited to, newsletters, periodicals, letters, books, construction plans, or similar writings) or the making or giving of any lectures, talks or other communications which pertain to or have any connection whatsoever with the function

1 or use of any telephone system, telephone instrument or telephone
2 equipment, or any device which may be attached thereto or used
3 in connection therewith.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

5 1. Defendants, and each of them, shall forthwith destroy
6 all copies of material of the type referred to above in their
7 possession or under their control. Defendants, and each of them,
8 are further ordered to file with this Court, and serve upon
9 plaintiff, detailed affidavits within sixty (60) days from the
10 date of this Judgment and Injunction certifying that such material
11 has been destroyed, specifically identifying the destroyed material,
12 the date or dates on which destroyed, specifying the means of
13 destruction and the persons involved in such destruction.

14 2. Defendant KRANYAK, aka COLE, shall forthwith provide
15 to plaintiff's attorneys a full and complete list (including names
16 and addresses) of all known past and present subscribers to or
17 customers of TELETRONICS COMPANY OF AMERICA and shall certify by
18 affidavit filed with this Court and served on plaintiff within
19 sixty (60) days from the date of this Judgment and Injunction that
20 he has done so.

21 3. After receipt by plaintiff's attorneys of the list
22 referred to above, plaintiff shall be entitled to send each sub-
23 scriber or customer the following notice:

24 "IT IS A VIOLATION OF STATE AND FEDERAL
25 LAW TO USE ANY INSTRUMENT, DEVICE OR SCHEME
26 TO OBTAIN ANY TELEPHONE SERVICE WITHOUT PAY-
27 MENT OF THE LAWFUL CHARGES THEREFOR. IT IS
28 ALSO A CRIME TO PROVIDE INFORMATION TO ANY
29 PERSON WHICH IS USEFUL FOR SUCH PURPOSE. IN
30 MANY STATES, THE POSSESSION OF OR DISSEMINATION

1 OF PLANS OR INSTRUCTIONS FOR SUCH DEVICES
2 IS A CRIMINAL OFFENSE.

3 "VIOLATIONS OF THESE LAWS ARE VIGOROUSLY
4 INVESTIGATED AND PROSECUTED. ACCORDINGLY,
5 YOU ARE URGED TO DESTROY ANY AND ALL WRITTEN
6 MATERIAL OR DEVICE YOU MAY HAVE WHICH MAY
7 VIOLATE ANY OF THESE LAWS.

8 "THIS STATEMENT IS BEING SENT TO YOU BY
9 ORDER OF THE SUPERIOR COURT OF CALIFORNIA,
10 COUNTY OF LOS ANGELES."

11 4. Plaintiff shall have and recover against defendants,
12 JACK KRANYAK, aka JACK COLE, and DAVID REES, and each of them,
13 jointly and severally, and they shall pay to plaintiff, as
14 compensatory and exemplary damages, the sum of One Hundred Thousand
15 Dollars (\$100,000.00) by reason of their conduct complained of in
16 this action; provided, however, that execution of such money
17 judgment shall be stayed unless proof is first made, upon notice and
18 hearing, that either defendant has violated any provision of this
19 Judgment and Injunction and plaintiff may then immediately execute
20 the full amount of said money judgment against the defendant
21 adjudged to have violated any provision hereof; provided, further,
22 that plaintiff's right to execute said money judgment against such
23 defaulting defendant shall in no way preclude plaintiff from
24 seeking to have this Court hold such defaulting defendant in
25 contempt or preclude this Court from so holding and imposing such
26 penalties as this Court may deem appropriate, or preclude plaintiff
27 from seeking and obtaining such other legal and equitable relief
28 as may be just, or preclude the filing and prosecution of appropriate
29 state and/or federal criminal proceedings against such defaulting
30 defendant.

5. For the purpose of securing compliance with this Judgment and Injunction, representatives of plaintiff shall, from time to time, after ten (10) days written notice to defendants' attorneys, be permitted:

(a) Access to all books, ledgers, accounts, correspondence, memoranda, customer or subscriber lists, employee records and all other documents and records pertaining to TELETRONICS COMPANY OF AMERICA. Defendant KRANYAK, aka COLE, shall maintain such documents and records for a period of three (3) years from the date of this Judgment and Injunction.

(b) Without restraint or interference from any defendant, to interview defendants, or any of them, agents or employees of any defendant, or anyone presently or formerly connected or associated in any way with TELETRONICS COMPANY OF AMERICA.

6. Hattye Homuth, mother of defendant BILL HOMUTH, is hereby appointed guardian ad litem for defendant BILL HOMUTH in the within action.

7. This Court shall retain continuing jurisdiction of this matter for all proper purposes, including any request for enforcement or modification of this Judgment and Injunction as may appear just.

DATED: _____, 1975.

Judge of the Superior Court