

Formal Complaint - Request for Dispute Exception

\$1,409.99 Undelivered Product - Member Since 2006

March 8, 2026

Dear American Express Complaints Department,

I have been a loyal American Express business cardholder for 20 years (member since 2006). I am writing regarding my formal complaint and request for an exception to the standard 90-day dispute window for a charge of \$1,409.99 for a product that has never been delivered.

I believe the circumstances of this case clearly warrant an exception, as I was acting in good faith throughout, while the merchant has engaged in a documented pattern of billing errors, broken promises, and failure to deliver.

Why I Could Not Dispute Within 90 Days

I purchased a pre-sale online course on September 2, 2025 for \$1,409.99 from Donald Spann (Hybrid Call Center). Because the product was sold as a pre-purchase for a course still in development, and because the merchant repeatedly assured me the course was imminent, I had no basis to dispute the charge during the initial 90-day window. I was waiting in good faith for a product I was explicitly promised would be delivered.

Timeline of Events

August 27-31, 2025:

The merchant, Donald Spann, contacted me directly to pitch an online course called "Hybrid Call Center" at a discounted rate of \$1,409.99 (described as an "alumni upgrade" from a previous course). He applied sales pressure with a "final reminder" message on August 31.

September 2, 2025:

I purchased the course for \$1,409.99 via the merchant's website (hybridcallcenter.com).

September 8, 2025:

The merchant admitted to a major billing error, writing: "We overcharged your card due to the messiest error I've made in my entire career." My American Express card was charged approximately five additional times in varying amounts. The merchant stated the error affected 12 customers.

September 10-12, 2025:

The merchant attempted to process refunds for the erroneous charges but encountered issues. He provided screenshots of Stripe refund attempts and stated, "Your card was removed from the account so this doesn't happen again." My statement showed \$6,811.23 CAD in excess charges across five duplicate transactions from multiple Stripe accounts (see Exhibit B).

September 29, 2025:

I followed up regarding outstanding refunds. The merchant responded, "I totally understand... I'm terribly sorry."

October 2, 2025:

The merchant admitted to "having some issues with Stripe" and asked for more time. I expressed concern about carrying over \$6,800 CAD in erroneous charges on my card. The merchant promised, "If there's any way u end up with that hit I'll cover it anyway."

October 14, 2025:

With refunds still unprocessed, the merchant himself instructed me to dispute the excess charges with American Express, writing: "Dude still nothing on your end? If not, f--- it, dispute them." I confirmed I had already filed disputes. The duplicate charges were subsequently reversed through American Express. The merchant also admitted to cycling through numerous Stripe payment accounts, stating he was on "probably Stripe number 28."

November 27, 2025:

The merchant posted a public video titled "Exciting Updates and Launch Date for the New Course" (see Exhibit C) in which he stated: "I finally have like, 100% go live date for the course. And that go live date is gonna be January 1st." He also acknowledged the extended delay, stating: "It's been a hell of a wait. You know, I really apologize." Notably, in this same video, the merchant revealed he was still collecting payments from new customers through informal channels (PayPal and Zelle), stating: "We've been doing it pretty informally, having people send me money on PayPal or Zell."

January 1, 2026:

The promised launch date passed. The course was not delivered.

January 22, 2026:

I contacted the merchant asking about the course status. He responded that he had been looking for an apartment in Mexico and was "gonna finish recording in it" - confirming the course had still not been completed, let alone delivered, nearly five months after my purchase.

February 22, 2026:

I formally requested a full refund, explaining that cash flow was tight and I could no longer wait for a product with no delivery date. On February 23, the merchant explicitly agreed, responding: "Hey Mike. Refund is understandable." He then offered to send the refund directly, stating: "Oh I can get it to u direct if u can wait a few days."

February 27, 2026:

I followed up and suggested PayPal as a refund method. The merchant responded: "PayPal works but I'm just waiting on a transfer to hit. Sorry here in Mexico I mostly live off credit cards. Can u handle a few more days?" I agreed.

March 2026 (present):

The merchant has gone silent. No refund has been received. The course has never been delivered.

Why This Warrants an Exception to the 90-Day Dispute Window

1. The 90-day window expired while I was waiting in good faith for a product the merchant repeatedly promised was coming. As a pre-purchase, the product was not expected to be available at the time of sale.
2. The merchant himself told me to dispute charges through American Express (October 14, 2025), demonstrating that American Express was the appropriate channel for resolving billing issues with this merchant.
3. American Express already processed chargebacks on this merchant's erroneous charges from the same transaction period (September 2025), establishing a documented record of this merchant's billing misconduct.
4. The merchant publicly promised a January 1, 2026 delivery date in a recorded video and failed to deliver.
5. The merchant explicitly agreed to a refund in writing on February 23, 2026 and has failed to follow through.
6. The merchant has demonstrated a pattern of disorganized and potentially deceptive business practices, including: charging my card multiple times in error, operating through numerous Stripe accounts (self-described as "probably Stripe number 28"), collecting payments informally via PayPal and Zelle, and repeatedly making promises he does not keep.
7. I have never received the product I paid \$1,409.99 for. The course was never delivered and, based on the merchant's own statements in January 2026, was never even fully recorded.

Attached Evidence

- Exhibit A: Facebook Messenger conversation with Donald Spann (8 pages, chronological) showing the complete timeline of promises, billing errors, delivery delays, and the merchant's explicit agreement to issue a refund
- Exhibit B: American Express statement showing original charge (\$1,409.99) and five erroneous duplicate charges totaling \$6,811.23 from two different merchant names
- Exhibit C: Loom video by Donald Spann dated November 27, 2025, titled "Exciting Updates and Launch Date for the New Course" - URL: <https://www.loom.com/share/c4fbb6106d814b3aa85224b5ecdf9b2d>
- Exhibit D: Transcript of Loom video confirming January 1, 2026 launch promise and informal payment collection

practices

Resolution Requested

I respectfully request that American Express grant an exception to the 90-day dispute window and reverse the original charge of \$1,409.99. I have been a loyal cardholder for 20 years and have always valued the protection and service that comes with my membership. The merchant has had over six months to deliver the product or issue a refund and has done neither.

I trust that American Express will resolve this matter through its internal complaint process. Should this not be possible, I understand I may escalate to the Ombudsman for Banking Services and Investments (OBSI) and the Financial Consumer Agency of Canada (FCAC).

Thank you for your time and attention to this matter.

Sincerely,

Mike Ziarko

Card ending 2006

416-272-6683

EXHIBIT A

Facebook Messenger Conversation with Donald Spann

August 2025 - March 2026

Screenshot 1 of 8

8/27/25, 11:48 AM

Hey man, things are good! How about you?

8/27/25, 2:59 PM

Pretty good

I just wanted to reach out due to your comment on the post

And also, hope all is well man

Were u interested in the upcoming hybrid course? I think you probably know it's discounted for current students

8/28/25, 4:34 PM

Yeah I am! I never got the biz launched the last time around, so I'm thinking of giving it another crack. Although I'm not really certain what business I'll be starting next

8/28/25, 4:52 PM

Understood

Well, keep in mind the price is normally \$2,500 for non-students but for current it's \$1k, and the upgrade price is \$1,500 starting sept 1

So, now is the time if you want to essentially secure your spot

Sorry to be salesy but that's how we're doing it haha

Happy to hop on a call later today if that works

haha no its totally fine, good to know it'll keep me from beating around the bush

Right haha

How's your schedule look for a quick call later? It's be good to catch up

*td

I gotta jet to p/u the kiddos but yeah lets definitely sync up soon!

Sounds good

If you're ready in general I can just send u the link

Would that work?

Thank you that would be perfect!

<https://hybridcallcenter.com/alumni-upgrade>

Here you go 🙏

And yea let's hop on a call next week

8/29/25, 4:43 PM

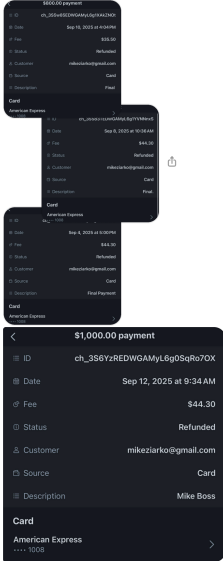
Screenshot 4 of 8

9/12/25, 4:01 PM

A new one? Give me a second

Ok. They've all been processed and your card was removed from the account so this doesn't happen again

There's a different Mike that was supposed to be charged



Today has been pretty busy

Do u have time for a quick call over the weekend or Monday

so \$3800 USD in refunds

ok hopefully this nets out OK. Sometimes I get screwed on on USD refunds because of currency fluctuations

You replied to Donald

Do u have time for a quick call over the weekend or Monday

sure Monday works

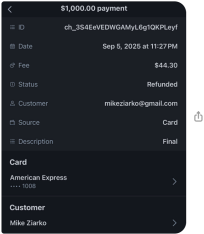


Screenshot 5 of 8

9/12/25, 4:53 PM

If for some reason u do, lmk the difference and I'll cover it

Are you in Canada?



4800

You replied to Donald

Are you in Canada?

Yep Toronto

Thanks

9/29/25, 11:24 AM

Edited

Hey Donald
It's been a couple of weeks now and I still haven't seen this posted back to my account. Amex says typically it's 3-5 business days, at most 5-10. I know you posted screenshots so it seems odd this hasn't been reversed on my end yet. Can you tell me the refund dates? Was it through Stripe?

I'm just concerned because my due date is approaching and I'll get hit on the interest and the last thing I want to have to do is dispute the charges because I know that'll create more hassle for you, but I'm running out of options.

9/29/25, 1:43 PM

Hey Mike

Yea I totally understand

What's your due date?

Oh you'll be good

I'm about to fly to NYC

But once I'm at hotel I'll check

And I'm terribly sorry

Oct 12 so there's still some time



Screenshot 6 of 8

10/2/25, 6:58 AM

Hey were you able to get the transaction date of those refunds?

10/2/25, 10:23 AM

Hey Mike

So, I'm actually having some issues with Stripe

Can you give me until Monday, and if it's not sorted, I'll come up with an alternative

ended up with so many refunds that like half of them didn't take

the funds are there so this is stupid

fucking disaster

so if I don't contact you before monday, we'll have to talk

10/2/25, 2:55 PM

Sounds like a nightmare. Sorry to hear that man.

Essentially I can give it until Wednesday and then I have to dispute it if it's not gone. It's almost 7 grand Canadian and I can't take the interest hit

10/2/25, 3:22 PM

Dude no prob

If there's any way u end up with that hit I'll cover it anyway 🙌

10/14/25, 12:26 PM

Hey

Dude still nothing on your end?

If not, fuck it, dispute them

If u haven't already

10/14/25, 4:43 PM

hey hey! Yes I took care of it last week

Ok. I'm so sorry man

Super annoying

Its all good man... it happens. Hope it doesn't sting too bad and you can get your Stripe account sorted

Oh I'm def doing a new one haha

Probably stripe number 28

I've had so many businesses with them

Jan 22, 2026, 4:56 PM



hey man - whats happening with the new call center course?

Screenshot 7 of 8

Jan 22, 2026, 4:56 PM

hey man - whats happening with the new call center course?

paid for it last August lol

hey, yea I've been scrambling for a new apartment

finally found one, starting lease feb 1

and gonna finish recording in it

been ridiculous since I don't have my residency visa yet

okay 🙌

but it's like, SOMEONE will take my dollars, and finally found a lease lol

how's your 2026 starting off

Haha, good to hear

not bad, slow period so I'm able to grind some work out thats been on the back burner

that's always good

Feb 22, 2026, 1:46 PM

Hey Donald, I hope you're doing okay. I know you've gone through a rough patch these past few months and I wish you well, man. Cashflow is tight on our end right now so I'd really appreciate a refund on the original course payment, if that's possible, given the situation with your stripe accounts. I held off on that thinking that it would materialize by now but hey, sometimes life gets in the way and I understand. If the course does end up launching, I might consider investing again. Thanks for understanding.

Feb 23, 2026, 9:32 AM

Hey Mike

Refund is understandable

Is there a different way to do it? We changed our stripe acct

Ye so if a refund can't be done then I can try to dispute it. Not sure how that'll work out given so much time has gone by

Oh I can get it to u direct if u can wait a few days

Feb 23, 2026, 11:41 AM

Yeah that would simplify things, I can do that.

Ok cool

Feb 27, 2026, 4:30 PM

hey man what were you thinking, is Paypal good?

Feb 27, 2026, 5:16 PM

PayPal works but I'm just waiting on a transfer to hit

Sorry here in Mexico I mostly live off credit cards



Screenshot 8 of 8

Feb 27, 2026, 5:16 PM

PayPal works but I'm just waiting on a transfer to hit

Sorry here in Mexico I mostly live off credit cards

Can u handle a few more days?

Ok awesome

Fri 5:07 PM

Sure 🙌

any luck?

EXHIBIT C

Loom Video by Donald Spann

Posted November 27, 2025

Video Title:

"Exciting Updates and Launch Date for the New Course"

URL:

<https://www.loom.com/share/c4fbb6106d814b3aa85224b5ecdf9b2d>

Video Description (from Loom metadata):

"Hey everyone, I wanted to give you an update from Puerto Vallarta. I'm excited to announce that the go-live date for the course is January 1st, and I appreciate your patience during this wait. We've been working hard to expand the content, including new material on voice AI and insights from over a hundred call centers. If you're interested in the pre-launch discount, please reach out to me directly. I'm looking forward to helping you build a successful business model that can improve your life!"

EXHIBIT D

Full Transcript of Loom Video

"Exciting Updates and Launch Date for the New Course"

By Donald Spann - November 27, 2025

[0:04] Okay, so I'm not quite sure if this video is working because it's not doing it, I'm not connecting it, but, you know, try this anyway.

[0:10] So, uh, you know, it's been a while good to see you guys, uh, hi from Puerto Vallarta, uh, here for a few days.

[0:24] The last few months have been busy. Uh, last time around when I first recorded the original course, uh, you know, all I had going on was recording the course.

[0:34] I recently sold the key virtual. Um, you know, I was doing some investments here in New York, but I wasn't doing anything other than focused on the course.

[0:43] Right now, um, you know, I have dozens of employees, two different companies. And, uh, I'm working in the middle of a fundraiser, and which is always fun one time.

[0:54] So, uh, the nice thing is that called Canada. Uh, my call center focused on the cannabis industry. Uh, we're profitable. We're grown. We just, uh, essentially landed. Uh, when I, the first public company I've ever landed for a company I've ever started.

[1:11] Uh, so pretty exciting. Um, and then, you know, our staff and company is, uh, you know, getting off, getting some good momentum as well.

[1:20] Now, with that said, the purpose of this video is to give you an update for the course. So, I finally have like, 100% uh, go live date for the course. And that go live date is gonna be January 1st.

[1:30] Now, for those of you who are very first to be purchasing, this, uh, this kind of course upgrade for the hybrid call center, uh, in, like, July. So, it's been a hell of a wait. You know, I really apologize.

[1:51] Um, you know, I don't want to put out a crappy thing. I don't want to put out a waste of time. And so, it was gonna take some time anyway to get this done.

[1:57] But at least now, I've been recording, um, you know, you know, really, in some way, this is an update for, you know, kind of the original content, but also an expansion, uh, even in that regard.

[2:10] And then of course, uh, we have new material coming in the form of, uh, more technically all the material, you know. But of course now we're talking about voice AI, and our new channel was just something we didn't do before.

[2:35] And so our goal here is to, uh, you know, include some of those perspectives as well, uh, on top of my own, right?

[3:13] Uh, really appreciate the people that have had, you know, a tremendous patience because it's really been all of you. Um, you know, because the course hasn't been out yet, um, we, um, I'm still offering kind of the pre-launch discount.

[3:33] Uh, so just hit me up directly for what that is. And we've been doing it pretty, like, informally than having people. We've sent me money on PayPal or Zell.

[3:46] So, you know, don't think of this as something that the course itself, of course, is gonna be serious. Uh, but this isn't a business, right? So, our goal is to create good content, have you guys be able to have a business model that I'm utilizing, uh, that can really put you guys in a nice situation and live well.

[4:25] If you haven't been getting on a pre-sale discount, but just know January 1st is the date, it's locked in, and, uh, you know, feel free to comment on this post and I appreciate you all.

Key statements highlighted for reference:

- "I finally have like, 100% go live date for the course. And that go live date is gonna be January 1st." [1:20]
- "It's been a hell of a wait. You know, I really apologize." [1:30]
- "I'm still offering kind of the pre-launch discount... we've been doing it pretty informally, having people send me money on PayPal or Zell." [3:13-3:33]
- "This isn't a business, right?" [3:46]
- "January 1st is the date, it's locked in." [4:25]

EXHIBIT B

American Express Statement - September 2025 Showing Original Charge and Erroneous Duplicate Charges

The following statement page shows the original purchase (Sep 2, HCC INCUBATOR - \$1,409.99) and five erroneous duplicate charges from "HYBRID CALL CENTER" totaling \$6,811.23 in excess charges. Note the charges appear under two different merchant names, confirming the use of multiple Stripe payment accounts.

Relevant charges highlighted:

- Sep 2: HCC INCUBATOR, CHICAGO - \$1,409.99 (original purchase)
- Sep 5: HYBRID CALL CENTER, CHICAGO - \$1,415.62 (erroneous)
- Sep 6: HYBRID CALL CENTER, CHICAGO - \$1,418.60 (erroneous)
- Sep 8: HYBRID CALL CENTER, CHICAGO - \$1,418.60 (erroneous)
- Sep 11: HYBRID CALL CENTER, CHICAGO - \$1,134.38 (erroneous)
- Sep 12: HYBRID CALL CENTER, CHICAGO - \$1,424.03 (erroneous)

Total erroneous charges: \$6,811.23 CAD



Marriott Bonvoy Business American Express Card Statement of Account

Prepared For
MICHAEL ZIARKO

Account Number
XXXX XXXXX7 41008

Opening Date
Aug 22, 2025

Closing Date
Sep 21, 2025

Your Transactions

Transaction Date	Posting Date	Details	Amount (\$)
Aug 26	Aug 26	NITROPACK MIAMI UNITED STATES DOLLAR 21.00 @ 1.41810	29.78
Aug 26	Aug 27	NEXCESS 517-3220434 UNITED STATES DOLLAR 23.52 @ 1.42134	33.43
Aug 28	Aug 29	ALLINONE WP MIGRATION LEWES UNITED STATES DOLLAR 69.00 @ 1.42072	98.03
Aug 29	Aug 29	ESIGNATURES MELBOURNE	50.00
Aug 30	Aug 30	DROPBOX*QMVSQGLPQM7 SAN FRANCISCO UNITED STATES DOLLAR 13.55 @ 1.41181	19.13
Sep 1	Sep 1	GOOGLE *GSUITE_NOMOREC 855-222-8603	176.00
Sep 2	Sep 2	HCC INCUBATOR CHICAGO UNITED STATES DOLLAR 1,000.00 @ 1.40999	1,409.99
Sep 3	Sep 3	LOOM SUBSCRIPTION AUSTIN UNITED STATES DOLLAR 20.00 @ 1.41650	28.33
Sep 3	Sep 4	STAPLES 426 STOUFFVILLE	17.57
Sep 3	Sep 4	KRYSTAL BELLA TRACY UNITED STATES DOLLAR 40.00 @ 1.41625	56.65
Sep 4	Sep 5	HYBRID CALL CENTER CHICAGO UNITED STATES DOLLAR 1,000.00 @ 1.41562	1,415.62
Sep 5	Sep 6	BELL MOBILITY VERDUN	186.33
Sep 5	Sep 6	HYBRID CALL CENTER CHICAGO UNITED STATES DOLLAR 1,000.00 @ 1.41860	1,418.60
Sep 7	Sep 7	OPENAI *CHATGPT SUBSCR SAN FRANCISCO UNITED STATES DOLLAR 22.60 @ 1.41858	32.06
Sep 8	Sep 8	MAIDCENTRAL NORTH CHARLESTO UNITED STATES DOLLAR 29.00 @ 1.41862	41.14
Sep 8	Sep 8	HYBRID CALL CENTER CHICAGO UNITED STATES DOLLAR 1,000.00 @ 1.41860	1,418.60
Sep 8	Sep 8	CLOUDFLARE SAN FRANCISCO UNITED STATES DOLLAR 5.00 @ 1.41800	7.09
Sep 10	Sep 11	HYBRID CALL CENTER CHICAGO UNITED STATES DOLLAR 800.00 @ 1.41798	1,134.38
Sep 10	Sep 11	PAYPAL *VA DAVAO 9260764103	500.00
Sep 11	Sep 11	ZAPIER.COM/CHARGE SAN FRANCISCO	270.56
Sep 11	Sep 11	HIGHLEVEL INC. DALLAS UNITED STATES DOLLAR 25.00 @ 1.42080	35.52
Sep 11	Sep 11	INTUIT *QBOOKS ONLINE 888-829-8589	107.35
Sep 11	Sep 13	PRIME STORAGE AJAX 001 AJAX	396.60
Sep 12	Sep 12	HYBRID CALL CENTER CHICAGO UNITED STATES DOLLAR 1,000.00 @ 1.42403	1,424.03
Sep 12	Sep 13	AIRCALL * AIRCALL INVUS NEW YORK UNITED STATES DOLLAR .03 @ 1.33333	0.04
Sep 15	Sep 16	CKO*AHREFS 515942 INTERNET UNITED STATES DOLLAR 111.87 @ 1.41906	158.75