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B.M.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

B.M., an individual,

Plaintiff,

vs.

WYNDHAM HOTELS & RESORTS, INC.;

CHOICE HOTELS INTERNATIONAL, INC.;

G6 HOSPITALITY, LLC,

Defendant(s)

) Case No.:

) COMPLAINT

) DEMAND FOR JURY TRIAL

COMPLAINT

COMES NOW the Plaintiff B.M., by and through the undersigned counsel, and respectfully submits her complaint for damages and makes the following averments.

INTRODUCTION

1. For years, sex trafficking ventures have brazenly operated in and out of hotels throughout this country. Criminals parade their misconduct openly on hotel properties throughout the United States while the hotels and hospitality industry continues to neglect the criminal misconduct to continue earning a profit at the expense of human life, human rights, and human dignity.

1 2. Defendants Wyndham Hotels & Resorts, Inc. (hereinafter “Wyndham”), Choice Hotels
2 International, Inc. (hereinafter “Choice” or “Choice Hotels”), and G6 Hospitality, LLC (hereinafter
3 “G6”)¹ know and have known for more than a decade that sex trafficking repeatedly occurs under
4 their flag throughout the country. Rather than taking timely and effective measures to thwart this
5 epidemic, Defendant Hotels have instead chosen to ignore the open and obvious presence of sex
6 trafficking on their properties, enjoying the profit from rooms rented for this explicit and apparent
7 purpose.

8 3. This action for damages is brought by the Plaintiff, a survivor of sex trafficking hereinafter
9 identified by her initials B.M., under the federal William Wilberforce Trafficking Victims Protection
10 Reauthorization Act of 2008 (hereinafter “TVPRA”).

11 4. B.M. was trafficked for commercial sex as a minor in Santa Clara County, California. B.M. was
12 sold via commercial sex transactions at the Defendants’ hotel properties through force, fraud, and
13 coercion as the Defendants did nothing but profit.

14 5. The Plaintiff now brings this action for damages against the Defendants listed herein. Each of
15 the Defendants, in violation of 18 U.S.C. § 1595, knowingly benefited from facilitating a venture that
16 they knew, or at the very least should have known, to be engaging in sex trafficking in violation of 18
17 U.S.C. § 1591(a).

18 6. B.M. was advertised on www.backpage.com and sexually exploited at hotels in Santa Clara
19 County, California, including the Super 8, Clarion Inn, and Motel 6.

20 7. As a direct and proximate result of Wyndham, Choice, and G6’s consistent refusals to prevent
21 human trafficking on their hotel properties, B.M. was sex trafficked, sexually exploited, and
22 victimized repeatedly at Wyndham, Choice, and G6 brand hotels.

23 8. The Plaintiff brings this action pursuant to the Trafficking Victims Protection Reauthorization
24 Act 18 U.S.C. §1595, against the Defendants who enabled, harbored, held, facilitated, or otherwise
25 financially benefited, or any combination of the foregoing, from a sex trafficking venture in which
26 B.M. was trafficked for sex, sexually exploited, and victimized in violation of the TVPRA.

27
28 ¹ Collectively, Wyndham, Choice, and G6 may be referred to as “Defendant Hotels.”

PARTIES

9. Plaintiff B.M. is a natural person who resides in Fresno County, California.

- a. Plaintiff B.M. was a minor when she was first sold throughout Santa Clara County for the purposes of commercial sex. The Plaintiff is a victim of trafficking pursuant to 22 U.S.C. §7102 (15) and 18 U.S.C. §1591 (a), and a victim of a “severe form of trafficking” as it is defined under 22 U.S.C §7102 (14).
- b. Due to the sensitive, private, and potentially retaliatory nature of the allegations, Plaintiff B.M. requests that this Court grant a protective order pursuant to Federal Rule of Civil Procedure 26(c) to permit her to proceed under a pseudonym to ensure Defendants keep Plaintiff’s identity confidential throughout the pendency of the lawsuit thereafter.²
- c. Generally, under the Federal Rules of Civil Procedure, pleadings must state the name of all parties.³ However, there are exceptions when the issues involved are of a sensitive and highly personal nature.⁴ For good cause, the Court may issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense.⁵
- d. Here, granting pseudonym status and proceeding under seal is warranted because this litigation will involve the disclosure of stigmatizing sexual information, including rape. Plaintiff fears the stigma from her family, friends, employer, and community if

² In cases where the plaintiffs have demonstrated a need for anonymity, the district court should use its powers to manage pretrial proceedings under Fed. R. Civ. P. 16(b), and to issue protective orders limiting disclosure of the party’s name under Fed. R. Civ. P. 26(c), to preserve the party’s anonymity to the greatest extent possible without prejudicing the opposing party’s ability to litigate the case. *Does I thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1069 (9th Cir. 2000).

³ Fed. R. Civ. P. 10(a).

⁴ A district court must balance the need for anonymity against the general presumption that the parties’ identities are public information and the risk of unfairness to the opposing party. *See e.g., M.M. v. Zavaras*, 139 F.3d 798, 803 (10th Cir.1998); *James v. Jacobson*, 6 F.3d at 238 (4th Cir.); *Doe v. Frank*, 951 F.2d 320, 323–24 (11th Cir.1992); *Doe v. Stegall*, 653 F.2d at 186 (5th Cir.); *see also Doe v. Frank* at 323 (11th Cir. 1992) (holding that a plaintiff should be permitted to proceed anonymously in cases involving matters of a highly sensitive and personal nature, real danger of physical harm, or where the injury litigated against would be incurred as a result of the disclosure of the plaintiff’s identity).

⁵ Fed. R. Civ. P. 26(c).

her true identity was revealed in the public record.

- e. Plaintiff should not be compelled to disclose her identity in order to maintain her privacy and safety. Plaintiff's privacy interest substantially outweighs the customary practice of judicial openness.⁶
- f. Moreover, Defendants will not be prejudiced. Plaintiff will agree to reveal her identity to Defendants for the limited purpose of investigating Plaintiff's claims once the parties have entered into a protective order. Plaintiff simply seeks redaction of Plaintiff's personal identifying information from the public docket and assurances that Defendants will not use or publish Plaintiff's identity in a manner that will compromise her personal life or future employment prospects.

10. Defendant Wyndham Hotels and Resorts, Inc. ("Wyndham") is one of the largest hotel brands in the world with nearly 9,000 branded properties in more than eighty (80) countries. It is a Delaware corporation and can be served by its registered agent, Corporate Creations Network, Inc., at 3411 Silverside Road, Tatnall Building Suite 104, Wilmington, Delaware 19810.

- a. Defendant Wyndham Hotels and Resorts, Inc. is the successor entity to Wyndham Worldwide Corporation. Defendant Wyndham Hotels and Resorts, Inc. retains successor liability for wrongful acts of its predecessor Wyndham Worldwide Corporation.
- b. Super 8® by Wyndham ("Super 8®") is a Wyndham Hotels and Resorts, Inc. brand property.
- c. Defendant Wyndham and the Super 8® by Wyndham are a single and joint employer with a high degree of interrelated, intermingled, and unified operations at the Super 8® by Wyndham Defendant hotel where the Plaintiff was trafficked for sex. Defendant Wyndham and the Super 8® by Wyndham each share the common policies and practices complained of herein.

⁶ *Supra* n. 2 at 1068 (the court joined its 4th, 5th, 10th, and 11th sister circuits in holding that a party may preserve his or her anonymity in judicial proceedings in special circumstances when the party's need for anonymity outweighs prejudice to the opposing party and the public's interest in knowing the party's identity).

- d. Defendant Wyndham and the Super 8® jointly employ or ratify the employment of individuals through horizontal joint employment and/or vertical joint employment.
- e. As an integrated enterprise and/or joint employer, Defendant Wyndham and the Super 8® are separately and jointly responsible for compliance with all applicable laws.
- f. As an integrated enterprise and/or joint employer, Defendant Wyndham and the Super 8® are jointly and severally liable for any damages caused by their employees.
- g. As a hotel operator, Defendant Wyndham controls the training on human trafficking or other related policies, including decisions on implementation and execution of policy for its branded properties, including the Super 8® hotel where B.M. was trafficked.
- h. Through its relationship with the staff at the Super 8® where B.M. was trafficked and the perpetrator who trafficked B.M. at Super 8® hotels, Defendant Wyndham knowingly benefited or received something of value from its facilitation of, or participation in, a venture which it knew or should have known had engaged in sex trafficking.
- i. Wyndham benefits financially from room rentals and other incidentals recognized by renting rooms in which the Plaintiff was sex trafficked.
- j. Wyndham owned, supervised, and/or operated the Super 8® located at 1860 The Alameda, San Jose, California.

11. Defendant Choice Hotels International, Inc. (“Choice Hotels”) is one of the largest hotel brands in the world. It is a Delaware corporation and can be served by its registered agent Corporation Service Company, 251 Little Falls Drive Wilmington, Delaware 19808.

- a. Clarion Inn® is a Choice Hotels brand property.
- b. Defendant Choice and the Clarion Inn® are a single and joint employer with a high degree of interrelated, intermingled, and unified operations at the Clarion Inn® hotel where the Plaintiff was trafficked for sex. Defendant Choice and the Clarion Inn® each share the common policies and practices complained of herein.
- c. Defendant Choice and the Clarion Inn® jointly employ or ratify the employment of

- 1 individuals through horizontal joint employment and/or vertical joint employment.
- 2 d. As an integrated enterprise and/or joint employer, Defendant Choice and the Clarion
- 3 Inn® are separately and jointly responsible for compliance with all applicable laws.
- 4 e. As an integrated enterprise and/or joint employer, Defendant Choice and the Clarion
- 5 Inn® are jointly and severally liable for any damages caused by employees.
- 6 f. As a hotel operator, Defendant Choice Hotels controls the training and human
- 7 trafficking or other related policies, including decisions on implementation and
- 8 execution of policy for its branded properties including the Clarion Inn® hotel where
- 9 Plaintiff was trafficked.
- 10 g. Defendant Choice Hotels maintains that it considers guest safety and security to be
- 11 important and requires the hotels in its portfolio to comply with Choice brand
- 12 standards and all local, state, and federal laws.
- 13 h. Through its relationship with the staff at the Clarion Inn® hotel where Plaintiff was
- 14 trafficked and the perpetrator who trafficked Plaintiff at the Clarion Inn®, Defendant
- 15 Choice Hotels knowingly benefited or received something of value from its
- 16 facilitation of or participation in a venture which it knew or should have known had
- 17 engaged in sex trafficking.
- 18 i. Choice Hotels benefits financially from room rentals and other incidentals recognized
- 19 by renting rooms in which the Plaintiff was sex trafficked.
- 20 j. Choice Hotels owns, supervises, and/or operates the Clarion Inn® located at 3200
- 21 Monterey Road, San Jose, California.

22 12. Defendant G6 Hospitality, LLC (“G6”) is one of the largest motel brands in the world. It is a

23 Delaware limited liability company. G6 may be served with service of process by serving its

24 registered agent Corporation Service Company, 251 Little Falls Drive Wilmington, Delaware 19808.

- 25 a. Motel 6 South (“Motel 6®”) is a G6 brand property.
- 26 b. The Motel 6 brand operates in forty-nine (49) states. The brand’s assets are
- 27 strategically located throughout the United States – close to airports, freeways, and
- 28 other thoroughfares. In 2015, G6 was rated among the top ten (10) hospitality

companies.

- c. As an integrated enterprise and/or joint employer, Defendant G6 and the Motel® are separately and jointly responsible for compliance with all applicable laws.
- d. As an integrated enterprise and/or joint employer, Defendant G6 and the Motel 6® are jointly and severally liable for any damages caused by their employees.
- e. As a hotel operator, Defendant G6 controls the training on human trafficking or other related policies, including decisions on implementation and execution of policy for its branded properties including the Motel 6® where B.M. was trafficked.
- f. Through its relationship with the staff at the Motel 6® where B.M. was trafficked and the perpetrator who trafficked B.M. at Motel 6® hotels, Defendant G6 knowingly benefited or received something of value from its facilitation of or participation in a venture which it knew or should have known had engaged in sex trafficking.
- g. G6 benefits financially from room rentals and other incidentals recognized by renting rooms in which the Plaintiff was sex trafficked.
- h. G6 owns, supervises, and/or operates the Motel 6® located at 2560 Fontaine Road, San Jose, California 95121.

13. Whenever reference is made in this Complaint to any act, deed, or conduct of the Defendants, the allegation is that the Defendants engaged in the act, deed, or conduct by or through one or more of their officers, directors, agents, employees, or representatives who was actively engaged in the management, direction, control, or transaction of the ordinary business and affairs of the Defendants.

JURISDICTION AND VENUE

14. This Honorable Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 because this action arises under the Constitution, laws, or treaties of the United States (with an amount in controversy that exceeds \$75,000).

15. Venue is proper in this district pursuant to 28 U.S.C. §1391 because a substantial part of the events or omissions giving rise to the claims asserted in this action, including the Defendants' misconduct and omissions, occurred in the judicial district where this action is brought.

SEX TRAFFICKING UNDER FEDERAL LAW

16. The requirements for liability under TVPRA § 1595 on a beneficiary theory can be stated as follows: (1) the person or entity must “knowingly benefit[], financially or by receiving anything of value,” (2) from participating in a venture, (3) that the “person knew or should have known has engaged in an act in violation of this chapter.” 18 U.S.C. § 1595(a).

17. Sex trafficking is defined by the TVPRA under 22 U.S.C. § 7102, as “the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act and in which the commercial sex act is induced by force, fraud, or coercion.” This definition combines the three elements of sex trafficking as a criminal offense: the act, the means, and the purpose.

18. To best understand the mechanism by which sex trafficking ventures are prohibited by federal criminal law, it’s best to address these elements in the reverse. Sex trafficking is slavery for the *purpose* of commercial sex, a lens on the already existing crimes prohibited by 18 U.S.C. § 1589 and §1590. The crime of slavery can then be divided into the two (2) elements remaining: the act and the means. The *act* is the “harboring, transporting, providing, or obtaining,” of forced labor, codified as a violation of 18 U.S.C. §1590, while the *means* is labor “obtained or provided by force, fraud or coercion” and is codified as a violation of 18 U.S.C. §1589.

19. Thus, while the complete definition of ‘sex trafficking’ is found in the TVPRA under 22 U.S.C. § 7102, and it is specifically prohibited under 18 U.S.C. §1591, it is nevertheless a long-recognized and familiar atrocity

FACTUAL ALLEGATIONS

A. THE HOSPITALITY INDUSTRY’S PARTICIPATION IN THE SEX TRAFFICKING INDUSTRY

“75% of survivors responding to Polaris’s survey reported coming into contact with hotels at some point during their exploitation... Unfortunately, 94% also disclosed that they never received any assistance, concern, or identification from hotel staff.”

-The Polaris Project⁷

20. Human trafficking is the world's fastest growing crime.⁸ While the term 'human trafficking' incorporates all forced labor, the sex trafficking industry alone pulls in an estimated \$99 billion each year making it the second largest illicit crime industry behind only the sale of *all* illegal drugs.⁹

21. Sex traffickers, or 'pimps', use threats, violence, manipulation, lies, debt bondage, and other forms of coercion to compel adults and children to engage in commercial sex acts against their will.

22. The hospitality industry plays a crucial role in the sex trade.¹⁰ The trope of the "no-tell motel" is certainly not a new one. Hotels have long profited from their reputations as havens of privacy and discretion for the offending. Hotels offer anonymity and non-traceability, making them ideal venues for crime and sex trafficking in particular.

23. According to National Human Trafficking Hotline statistics, hotels are the top-reported venue, even over commercial front brothels, where sex trafficking acts occur.¹¹ Traffickers and buyers alike frequently use hotel rooms to exploit victims.

24. Traffickers use hotels as the hub of their operations. Inside, the victims are harbored, raped, assaulted, and forced to service buyers who come to the hotel solely to purchase sex. This is referred to as an 'in call'.

25. Hotels are also the venue of choice for buyers seeking an 'out call,' wherein the buyer rents a hotel room and the trafficker delivers the victim to the buyer's room to complete the sordid transaction. Unsurprisingly, those on the demand side of this transaction (i.e. those purchasing sex)

⁷ *Recommendations for Hotels and Motels*, THE POLARIS PROJECT, <https://polarisproject.org/hotels-motels-recommendations> (last visited June 19, 2019).

⁸ *Human Trafficking is the World's Fastest Growing Crime*, THE ADVISORY BOARD (May 22, 2017, 9:30 AM), <https://www.advisory.com/daily-briefing/2017/05/22/human-trafficking>.

⁹ *Profits and Poverty: The Economics of Forced Labor*, INTERNATIONAL LABOR ORGANIZATION (May 24, 2014), http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_243391/lang--en/index.htm.

¹⁰ Giovanna L. C. Cavagnaro, *Sex Trafficking: The Hospitality Industry's Role and Responsibility*, CORNELL UNIVERSITY SCHOOL OF HOTEL ADMINISTRATION (2017), <http://scholarship.sha.cornell.edu/honorstheses/3>.

¹¹ *National Human Trafficking Hotline Statistics*, THE POLARIS PROJECT (2016), <https://polarisproject.org/resources/2016-hotline-statistics>.

typically choose to engage in trafficking away from their home, naturally leading to the increased involvement of hotels. In New York City alone, 45% of all reported sexual exploitation took place in hotels, including the Ritz Carlton and the Plaza.¹²

26. The problem is industry wide. In the United States, as much as 63% of all trafficking incidents happen in hotels ranging from luxury to economy.¹³

27. Due to the overall complacency of the hospitality industry on addressing the issue, hotels are *the* venue of choice for sex trafficking.¹⁴ Traffickers and buyers capitalize on the hotel industry's general refusal to adopt and enforce company-wide anti-trafficking policies from the corporate to the property level, train staff on what to look for and how to respond, and/or establish safe and secure reporting mechanisms for those at the point of sale.

28. Every day, thousands of hotel employees witness manifestations of sex trafficking and commercial exploitation. Thus, the hospitality industry has the greatest reach to prevent, identify and thwart sexual exploitation where it is most likely to occur.¹⁵

29. But aside from their unique position in this epidemic, hotels and motels have the highest obligation to protect their guests from known dangers, including sex trafficking and sexual exploitation, and should be held accountable when they fail to comply. As aptly stated in a publication by the Cornell University School of Hospitality, "the hospitality industry is undoubtedly involved in the sex trafficking industry...and therefore has an inherent responsibility to deter the crime and can be liable for failing to do so."¹⁶

¹² Giovanna L. C. Cavagnaro, *Sex Trafficking: The hospitality Industry's Role and Responsibility*, CORNELL UNIVERSITY, SCHOOL OF HOTEL ADMINISTRATION (2017), <http://scholarship.sha.cornell.edu/honorstheses/3>.

¹³ Michele Sarkisian, *Adopting the Code: Human Trafficking and the Hospitality Industry*, CORNELL HOSPITALITY REPORT, 15(15), 3-10 (2015).

¹⁴ *Hotels Initiative*, THE POLARIS PROJECT, <https://polarisproject.org/initiatives/hotels> (last visited June 19, 2019).

¹⁵ *Combating Human Trafficking in the Hotel Industry*, HUFFPOST (Jul. 22, 2015), https://www.huffpost.com/entry/combating-human-trafficking-in-the-hotel-industry_b_7840754 (last visited November 18, 2019).

¹⁶ Giovanna L. C. Cavagnaro, *Sex trafficking: The Hospitality Industry's Role and Responsibility*, CORNELL UNIVERSITY, SCHOOL OF HOTEL ADMINISTRATION (2017), <http://scholarship.sha.cornell.edu/honorstheses/3>.

30. Training hotel staff to identify the signs of sex trafficking and sexual exploitation is a critical and obvious legal obligation for the hospitality industry. The presence of sex trafficking and sexual exploitation in a hotel is frequently an obvious occurrence and, although unutilized, underutilized, or ineffectively utilized, numerous well-researched trainings and toolkits have been published to the hotel industry over the last decade to help hotel staff in every position to identify the signs.¹⁷

31. From check-in to check-out there are a number of indicators that traffickers and their victims exhibit during their stay at a hotel. With proper training and the implementation of reasonable security measures, hospitality companies could prevent regular sex trafficking under their flag.

32. Obvious signs of sex trafficking at a hotel may include: an excess of condoms in rooms, individuals carrying or flashing large amounts of cash, excessive amounts of cash stored in the room, renting two (2) rooms next door to each other, declining room service for several consecutive days, significant foot traffic in and out of room(s), men traveling with multiple women who appear unrelated, women known to be staying in rooms without leaving, women displaying physical injuries or signs of fear and anxiety, guests checking in with little or no luggage, hotel guests who prevent another individual from speaking for themselves, or a guest controlling another's identification documents.¹⁸

33. Obviously, hotel staff who have undergone training are more aware of sex trafficking when it happens and are more willing to report it than hotel staff who have not been trained.¹⁹ Thus, hospitality companies are obligated to adopt policies and procedures related to sex trafficking and

¹⁷ DEPARTMENT OF HOMELAND SECURITY, *Blue Campaign Toolkit*, attached as "Exhibit A." Available at:

<https://www.dhs.gov/sites/default/files/publications/blue-campaign/toolkits/hospitality-toolkit-eng.pdf>.

¹⁸ *Id.* See also, Shea M. Rhodes, *Sex Trafficking and the Hotel Industry: Criminal and Civil Liability for Hotels and their Employees*, THE INSTITUTE TO ADDRESS CRIMINAL SEXUAL EXPLOITATION, Villanova University School of Law (2015), https://cseinstitute.org/wp-content/uploads/2015/06/Hotel_Policy_Paper-1.pdf.

¹⁹ Giavanna L. C. Cavagnaro, *Sex Trafficking: The Hospitality Industry's Role and Responsibility*, CORNELL UNIVERSITY, SCHOOL OF HOTEL ADMINISTRATION (2017), <http://scholarship.sha.cornell.edu/honorstheses/3>.

1 to enforce these policies and procedures as brand standard through to the property level.

2 34. Hospitality companies can and should mandate that *all* staff working at *all* hotel properties
3 across their brand complete sex trafficking training.²⁰

4 35. The hospitality industry has been cognizant of their role and responsibilities in the sex
5 trafficking industry for years.

6 36. At the General Assembly of the United Nations (“UN”) convened in New York, New York
7 in November 2000, the Palermo Protocol to prevent, suppress, and punish trafficking in persons
8 was adopted.²¹

9 37. In this regard, End Child Prostitution and Trafficking (“ECPAT-USA”) launched the
10 Tourism Child-Protection Code of Conduct (the “Code”) in the United States in 2004.²²

11 38. The Code identifies the following six (6) steps companies can take to prevent child sex
12 trafficking: (1) establish corporate policy and procedures against sexual exploitation of children; (2)
13 train employees in children’s rights, the prevention of sexual exploitation and how to report
14 suspected cases; (3) include a clause in further partner contracts stating a common repudiation and
15 zero tolerance policy of sexual exploitation of children; (4) provide information to travelers on
16 children’s rights, the prevention of sexual exploitation of children and how to report suspected
17 cases; (5) support, collaborate and engage stakeholders in the prevention of sexual exploitation of
18 children; and (6) report annually on the company’s implementation of Code-related activities.

19 39. In 2010, the United States government released its Trafficking in Persons Report, which
20 included an assessment of trafficking in the United States. The Trafficking in Persons Report 2010

21
22 ²⁰ Shea M. Rhodes, *Sex Trafficking and the Hotel Industry: Criminal and Civil Liability for Hotels and*
23 *their Employees*, The Institute to Address Criminal Sexual Exploitation, Villanova University School of
24 Law (2015), https://cseinstitute.org/wp-content/uploads/2015/06/Hotel_Policy_Paper-1.pdf.

25 ²¹ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,
26 supplementing
the United Nations Convention against Transnational Organized Crime, *adopted* Nov. 15, 2000, 2237
U.N.T.S. 319.

27 ²² ECPAT-USA, *No Vacancy For Child Sex Traffickers Impact Report* (2017), *available at*:
28 [https://static1.squarespace.com/static/594970e91b631b3571be12e2/t/59c9b6bfb07869cc5d792b8c/1506391761747/](https://static1.squarespace.com/static/594970e91b631b3571be12e2/t/59c9b6bfb07869cc5d792b8c/1506391761747/NoVacany_Report.pdf)
[NoVacany_Report.pdf](https://static1.squarespace.com/static/594970e91b631b3571be12e2/t/59c9b6bfb07869cc5d792b8c/1506391761747/NoVacany_Report.pdf).

1 stated that approximately 12.3 million adults and children were in forced labor, bonded labor, and
 2 force prostitution around the world, but that only 4,166 trafficking prosecutions were successful in
 3 2009.²³

4 40. During a speech in New York City in September 2012, President Obama stated that human
 5 trafficking “ought to concern every person, because it is a debasement of our common humanity. It
 6 ought to concern every community, because it tears at our social fabric. It ought to concern every
 7 business, because it distorts markets. It ought to concern every nation, because it endangers public
 8 health and fuels violence and organized crime.”²⁴

9 41. Statistics released in 2014 by the International Labor Organization (“ILO”) showed that
 10 approximately 4.5 million people were victims of forced sexual exploitation globally and that the
 11 violation of their human rights yielded an estimated annual profit of \$99 billion dollars for sex
 12 traffickers worldwide.²⁵ Put another way, the numbers showed that a sex trafficker’s annual profit
 13 per victim was approximately \$22,000.00.²⁶

14 42. A scholarly article published in 2015 estimated that pimps could earn \$25,000.00 to
 15 \$33,000.00 per week selling in the Atlanta, Georgia area.²⁷ This volume of and profit from sex
 16 trafficking also aligned with internet advertising for the sex trafficking industry occurring in
 17 roughly the same time period. For example, in 2015, one advertisement in the Atlanta section of the
 18 www.backpage.com website triggered 181 clients, and calls or texts from twenty-seven (27) men
 19 expressing interest – in a span of just ninety (90) minutes.²⁸

20 43. In December 2015, President Obama appointed eleven (11) survivors of human trafficking

22 ²³ CNN Wire Staff, *U.S. human trafficking report includes U.S. cases for first time*, CNN.com (Jun. 14,
 23 2010), available at <https://www.cnn.com/2010/US/06/14/human trafficking/index.html#>.

24 ²⁴ President Barack Obama, Remarks to the Clinton Global Initiative (Sept. 25, 2012), *available at*
 25 [https://obamawhitehouse.archives.gov/the-press-office/2012/09/25/remarks-president-clinton-global-](https://obamawhitehouse.archives.gov/the-press-office/2012/09/25/remarks-president-clinton-global-initiative)
 initiative.

26 ²⁵ International Labour Office, *Profits and Poverty: The Economics of Forced Labour* (2014), at 13,
 27 *available at* [https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_243391.pdf)
 declaration/documents/publication/wcms_243391.pdf.

28 ²⁶ *Id.* at 15.

²⁷ Sarkisian, *supra* n.13, at 4.

²⁸ *Id.* at 5.

1 to the inaugural United States Advisory Council on Human Trafficking to advise and make
2 recommendations on federal anti-trafficking policies to the President's Interagency Task Force to
3 Monitor and Combat Trafficking in Persons.²⁹

4 44. The United States Department of Justice ("DOJ") brought 248 sex trafficking prosecutions
5 in Fiscal Year 2015 and secured convictions against 291 sex traffickers.³⁰ In the previous year, DOJ
6 convicted a total of 184 human traffickers (inclusive of labor trafficking) and in the subsequent
7 year, DOJ convicted a total of 439 human traffickers (inclusive of labor trafficking).³¹

8 45. Despite these efforts of governmental and non-governmental organizations to combat
9 human trafficking, the hospitality industry as a whole, continued to lag behind in its efforts to
10 prevent human trafficking. A 2015 study showed that forty-five percent (45%) of children who
11 suffered sexual exploitation report that the sexual exploitation took place in a hotel.³²

12 46. Even estimates by attorneys *for the* hospitality industry indicate that eight (8) out of ten (10)
13 arrests for human trafficking occur in or around hotels.³³ The 2016 Trafficking in Persons Report
14 issued by the United States Department of State also confirmed that human trafficking occurs in the
15 hospitality industry in the United States.³⁴

16 47. Between 2007 and March 2015, more than 1,400 human trafficking cases have been
17 reported to the National Trafficking Resource Center.³⁵

18 48. The complicity of the hospitality industry is essential to the perpetuation of human trafficking,
19 allowing traffickers to remain transient, collect profits, and evade detection. Sex trafficking ventures
20

21 ²⁹ U.S. Dep't of State, *2016 Trafficking in Persons Report* (2016), at 41, available at
22 <https://www.state.gov/documents/organization/258876.pdf>.

23 ³⁰ *Id.* at 389.

24 ³¹ Human Rights First, *Fact Sheet 2017* (2017), available at
25 <http://www.humanrightsfirst.org/sites/default/files/TraffickingbytheNumbers.pdf>.

26 ³² Sarkisian, *supra* n.13.

27 ³³ Rich Keating, *Human Trafficking: What It Is And How It Impacts The Hospitality Industry*,
28 Presentation.

Delivered At AHIA Sprint Conference 2013, Washington, D.C., available at
29 http://www.ahiatorneys.org/aws/AHIA/asset_manager/get_file/92983 (last visited Mar. 1, 2019).

³⁴ U.S. Dep't of State, *supra* n.29, at 387.

³⁵ Polaris, *Human Trafficking and the Hotel Industry* (2015), available at
<https://polarisproject.org/resources/human-trafficking-and-hotel-industry>.

1 move from place to place so that they are less visible to law enforcement. Similarly, sex traffickers
2 also want to keep their victims moving from place to place to isolate them from any possible means
3 of escape or rescue. Traffickers are well aware of the seclusion and anonymity attendant with booking
4 rooms with hotel chains – they know it is unlikely that they will be disturbed.

5 49. Due to the hospitality industry's failure to embrace anti-trafficking policies and practices,
6 children and other vulnerable persons are trafficked for sex in hotels throughout the United States.

7 50. In 2011, Wyndham Hotels trained only some of its employees to look for signs of
8 trafficking.³⁶

9 51. In 2012, an anti-trafficking coalition alerted Defendants Choice Hotels of the likelihood of
10 sex trafficking during the London Olympics, and inquired about the companies anti-trafficking
11 policies, while urging immediate action regarding trafficking.

12 52. Choice Hotels claims it has supported the anti-trafficking group Polaris since 2010 and in a
13 partnership with ECPAT (End Child Prostitution, Pornography and Trafficking of Children for
14 Sexual Purposes) developed a training module in 2010 for hotel management and staff.

15 53. Further, campaigns recognized the issue of human trafficking in the hotel industry and the
16 lack of internal policies to address the issue, and took initiatives as early as 1997 with the United
17 Nations Blue Heart Campaign and domestically in 2010 with the Department of Homeland
18 Security's Blue Campaign.³⁷ These efforts sought to educate both the public and private sectors on
19 identifying and combatting human trafficking, including the hospitality industry and both
20 campaigns released online resources and toolkits publicly accessible to any entity concerned with
21 human trafficking.³⁸

22 54. Hospitality companies have both the power and responsibility to make sex trafficking
23 difficult for the offenders. Yet, they either repeatedly fail to heed the call or repeatedly failed to
24

25 ³⁶ Katie Lobosco, *Super 8 workers trained to spot sex trafficking*, CNN BUSINESS (Nov. 18, 2014),
26 <https://money.cnn.com/2014/11/18/news/companies/days-inn-sex-trafficking/>.

27 ³⁷ *DHS Blue Campaign Five Year Milestone*, DEPARTMENT OF HOMELAND SECURITY (Jul. 22,
2015), <https://www.dhs.gov/blog/2015/07/22/dhs-blue-campaign-five-year-milestone>.

28 ³⁸ *Human Trafficking and the Hospitality Industry*, DEPARTMENT OF HOMELAND SECURITY,
<https://www.dhs.gov/blue-campaign/hospitalityindustry> (last visited June 19, 2019).

1 execute their own policies. Instead, each continues to facilitate these crimes at their hotels, content
2 to direct their efforts solely towards profit and the bottom line.

3 **A. THE DEFENDANTS CONTROL THE HOSPITALITY INDUSTRY**

4 55. Hotel brands or flags lend their name and likeness to third party owners, while the building
5 and operations are run by a franchisee or a third party management company under the brands'
6 control. In return, the parent brand exchanges the high risk that is inherent in owning an asset like a
7 hotel for the low risk associated with owning a franchise contract and still profits from putting
8 heads in beds.

9 56. The average consumer does not see this relationship. The parent brand gives the franchisee
10 property its identity. It provides signage on and in front of the building that assures customers that
11 if they check into that hotel they can expect the standards consistent with the parent hotel brand.
12 The same brand emblazoned on everything in the hotel from the pens in the bedside tables to the
13 staff uniforms at the front desk.

14 57. In addition to brand recognition, a marketing organization, hotel listings in the Global
15 Distribution System (GDS) and other online travel agency databases, the brand provides the
16 franchise hotel with access to its brand wide central reservation system, 800 number, revenue
17 management tools, world-class loyalty programs and a website. Thus, booking and room
18 reservations are controlled by the corporate parent brand.³⁹

19 58. The franchise hotel typically pays around 10% of their total revenue back to the parent hotel
20 brand and is required to develop and maintain the property in accordance with the parent brand's
21 standards as they are laid out in the franchise agreement.

22 59. Per the franchise agreement, the parent brand may enforce these standards through periodic
23 inspections and even termination of the franchise agreement if the franchise hotel is found to be
24 inadequate. The right of the parent hotel brand to enforce their brand standards is also their
25 responsibility.

27 ³⁹ Ellen Meyer, *The Origins and Growth of Franchising in the Hotel Industry*, LODGING MAGAZINE
28 (April 10, 2018) <https://lodgingmagazine.com/the-origins-and-growth-of-franchising-in-the-hotel-industry/>.

60. At the time of the incidents alleged herein:

- a. Defendant Wyndham owned and controlled the Super 8® brand.
- b. Defendant Choice owned and controlled the Clarion Inn® brand.
- c. Defendant G6 owned and controlled the Motel 6® brand.

61. Parent hotel brands may kick delinquent hotels out of their system but it is at the expense of terminating their royalty payments.

**B. THE DEFENDANTS' ACTUAL AND/OR CONSTRUCTIVE KNOWLEDGE OF SEX
TRAFFICKING AT THEIR HOTELS**

62. Defendants Wyndham, Choice, and G6 ("Defendant Hotels") have been on notice of repeated incidences of sex trafficking occurring at their Super 8, Clarion Inn, and Motel 6 brand hotels, yet these brand managers failed to take the necessary action to prevent sex trafficking and still persist in failing to take the necessary action to prevent sex trafficking at their hotels.

63. Several courts have found failure to implement policies sufficient to combat a known problem in one's operations can rise to the level of willful blindness or negligence.⁴⁰

64. WYNDHAM HOTELS AND RESORTS, INC. ("WYNDHAM"):

- a. For years Defendant Wyndham has been on notice of repeated incidences of sex trafficking occurring on its Super 8® branded properties, yet Defendant Wyndham has failed to take action to prevent sex trafficking at Super 8® brand properties and still persists in failing to take necessary action to prevent sex trafficking on its properties. Defendant Wyndham's inattention in this regard enabled and contributed to the sex trafficking the Plaintiff suffered at the Super 8® hotels.
- b. There are numerous examples across place and time of Defendant Wyndham's knowledge of sex trafficking on its branded properties and its continued, total inattention to preventing and remedying the blight of human trafficking on the lives and liberties of its victims.
- c. In 2011, Defendant Wyndham's predecessor entity Wyndham Worldwide Corporation,

⁴⁰ See *Brown v. Corr. Corp. of Am.*, 603 F.Supp.2d 73, 81 (D.D.C. Mar. 26, 2009); *Trollinger v. Tyson Foods, Inc.*, 2007 WL 1574275, at *12 (E.D. Tenn. May 29, 2007).

1 signed the Code, but as evidenced by the widespread sex trafficking which continued to
2 occur at Defendant Wyndham's branded properties, Defendant Wyndham did not
3 practice what it preached. Defendant Wyndham's adoption of the Code appears to have
4 been nothing more than a strategic maneuver through which it sought a shield against
5 liability, but not a sword against human trafficking.

6 d. Despite Defendant Wyndham's anti-trafficking stance, Defendant Wyndham failed to
7 implement and enforce any of its own policy or policies including with respect to the
8 Super 8® hotels. Defendant Wyndham knew or should have known that the Super 8®
9 was located in an area known for sex trafficking activity, and sex trafficking and
10 prostitution continued to regularly occur on and around their branded hotel premises,
11 including when B.M. was trafficked. Despite having knowledge of the extensive
12 prostitution and sex trafficking that occurs at its branded hotels, Defendant Wyndham
13 failed to take adequate measures to prevent the misconduct.

14 e. Defendant Wyndham owns, supervises, or operates the Super 8® hotel. Wyndham
15 failed to implement and enforce any of its own policy or policies and protect Plaintiff
16 B.M. from being sex trafficked.

17 f. Defendant Wyndham had actual knowledge of sex trafficking occurring on its branded
18 hotel properties because Wyndham and Super 8® knew that sex trafficking and
19 prostitution are associated with a high risk of physical and sexual violence, substance
20 abuse, and other illegal dangerous conduct, and that the pimp-sex trafficking
21 victim/prostitute relationship involves the use of force, fraud, and coercion. Wyndham
22 and Super 8® allowed, authorized, permitted, induced, or encouraged the trafficking of
23 individuals for sex at the Super 8®. Wyndham and Super 8® facilitated the trafficking
24 through its practices, policies, and procedures. Wyndham and Super 8® failed to take
25 appropriate action to prevent the trafficking of individuals for sex so that Wyndham
26 and Super 8® could continue to profit from the business that trafficking brings,
27 including business from out-of-state.

28 g. Defendant Wyndham had constructive knowledge of sex trafficking occurring on its

1 branded hotel properties because Wyndham and Super 8® knew that sex trafficking
2 and prostitution are associated with a high risk of physical and sexual violence,
3 substance abuse, and other illegal dangerous conduct, and that the pimp-sex trafficking
4 victim/prostitute relationship involves the use of force, fraud, and coercion. Wyndham
5 and Super 8® allowed, authorized, permitted, induced, or encouraged the trafficking of
6 individuals for sex at the Super 8®. Wyndham and Super 8® facilitated the trafficking
7 through its practices, policies, and procedures. Wyndham and Super 8® failed to take
8 appropriate action to prevent the trafficking of individuals for sex so that Wyndham
9 and Super 8® could continue to profit from the business that trafficking brings,
10 including business from out-of-state.

- 11 h. Wyndham knew or should have known that the Super 8®, hotel where Plaintiff B.M.
12 was trafficked was located in an area known for high incidence of crime and prone to
13 sex trafficking activity on and around the hotel premises, including when Plaintiff B.M.
14 was trafficked.
- 15 i. Despite having knowledge of the extensive prostitution and sex trafficking that occurs
16 at its hotels, Defendant Wyndham has repeatedly failed to stop these actions.
- 17 j. Defendant Wyndham exercised control over Super 8® hotel by:
- 18 i. distributing information to assist employees in identifying human trafficking;
 - 19 ii. providing a process for escalating human trafficking concerns within the
20 organization;
 - 21 iii. requiring employees to attend training related to human trafficking;
 - 22 iv. providing new hire orientation on human rights and corporate responsibility;
 - 23 v. providing training and education to Super 8® branded hotels through webinars,
24 seminars, conferences, and online portals;
 - 25 vi. developing and holding ongoing training sessions on human trafficking; or
 - 26 vii. providing checklists, escalation protocols and information to property
27 management staff; or tracking performance indicators and key metrics on
28 human trafficking prevention.

1 k. Wyndham was in an agency relationship with Super 8® branded hotels offering public
2 lodging services in the hotel. This agency relationship was created through Defendant
3 Wyndham's exercise of an ongoing and systemic right of control over Super 8® hotels
4 by Defendant Wyndham's operations, including the means and methods of how Super
5 8® branded hotels conducted daily business through one or more of the following
6 actions:

- 7 i. hosting online bookings on Defendant Wyndham's domain;
- 8 ii. requiring Super 8® branded hotels to use Defendant Wyndham's customer
9 rewards program;
- 10 iii. setting employee wages;
- 11 iv. making employment decisions;
- 12 v. advertising for employment;
- 13 vi. sharing profits;
- 14 vii. standardized training methods for employees;
- 15 viii. building and maintaining the facility in a manner specified by the owner;
- 16 ix. standardized or strict rules of operation;
- 17 x. regular inspection of the facility and operation by owner;
- 18 xi. fixing prices; or
- 19 xii. other actions that deprive Super 8® branded hotels of independence in business
20 operations.

21 l. An apparent agency also exists between Defendant Wyndham and Super 8® hotels.
22 Defendant Wyndham held out Super 8® branded hotels to the public as possessing
23 authority to act on its behalf.

24 m. Given Defendant Wyndham's public statements on behalf of its hotel brands and the
25 control it assumed in educating, implementing, and directing its branded hotels,
26 including Super 8® branded hotels, Defendant Wyndham breached its duties in the
27 following ways:

- 28 i. did not adequately distribute information to assist employees in identifying

- 1 human trafficking;
- 2 ii. failed to provide a process for escalating human trafficking concerns within the
- 3 organization;
- 4 iii. failed to mandate managers, employees, or owners attend training related to
- 5 human trafficking;
- 6 iv. failed to provide new hire orientation on human rights and corporate
- 7 responsibility;
- 8 v. failed to provide training and education on human trafficking through webinars,
- 9 seminars, conferences, and online portals;
- 10 vi. failed to develop and hold or require ongoing training sessions on human
- 11 trafficking; or
- 12 vii. failed to provide checklists, escalation protocols and information to property
- 13 management staff or tracking performance indicators and key metrics on human
- 14 trafficking prevention.
- 15 n. For years, Defendant Wyndham has demonstrated actual and/or constructive
- 16 knowledge of the rampant culture of sex trafficking which tragically occurs on its
- 17 Super 8® branded properties throughout the country. This same entrenched, pervasive
- 18 actual and/or constructive knowledge of sex trafficking facilitated the sex trafficking
- 19 of Plaintiff B.M. at the Super 8® hotel that forms the basis of this complaint.
- 20 i. In 2008, a man was spotted outside a Super 8 motel with a minor while a federal
- 21 vice task force was working a sting. In 2010, the pimp was sentenced to 12.5
- 22 years in prison for sex trafficking of a minor.⁴¹
- 23 ii. In February 2010, an undercover sting resulted in three (3) arrests at the Super 8
- 24 Motel where males were hiring females for sex off of backpage.com.
- 25 iii. In August 2016, three people were arrested at the Super 8 Jackson Hole as a
- 26
- 27

28 ⁴¹ 'Y2K Pimp' Gets 12 Years for Recruiting Minor on MySpace, WIRED (Nov. 8, 2010),
<https://www.wired.com/2010/11/epps/>.

result of an undercover sting.⁴²

iv. Additionally, Defendant Wyndham has been aware of sex trafficking on Super 8® brand properties through publicly available websites such as www.tripadvisor.com. Online reviews show the pervasiveness of customer reported sex trafficking on Super 8® brand properties and Defendant Wyndham's inattentiveness, for example:

- The Super 8 located at 31-62 14th Street Long Island City, New York 11106 received this review in October 2008: "If you are wanting to stay at a motel that promotes prostitution then this is the place for you..."⁴³
- The Super 8 located at 1832 ½ W Lucas Street Florence, South Carolina 29501 received this review in April 2010: "...This is truly a prostitution ring. Not worth bringing your children to. You could hear women in high heels walking up and down the stairs, vehicles pulling in and out, knocking on hotel rooms upstairs and downstairs. So much activity, it's literally dangerous..."⁴⁴
- In September 2012, a reviewer described the Super 8 in Manassas, Virginia as follows: "This place is a dump! I left 1 day early because of bug bites. Saw people hanging out on the balcony at night. Also saw a man leave from a 1st floor room with a prostitute. So much for being family friendly."⁴⁵

⁴² *Prostitution bust at Super 8 Motel*, JACKSON HOLE NEWS & GUIDE (Aug. 23, 2016), https://www.jhnewsandguide.com/news/cops_courts/article_2eca6a4a-85e0-5bfb-950f-86adcb5bbb55.html.

⁴³ Review of Super 8 by Wyndham Long Island City (Oct. 4, 2008), *available at* https://www.tripadvisor.com/ShowUserReviews-g48080-d248683-r20611520-Super_8_by_Wyndham_Long_Island_City_LGA_Hotel-Long_Island_City_Queens_New_York.html.

⁴⁴ Review of Super 8 by Wyndham Florence (Apr. 18, 2010), *available at* https://www.tripadvisor.com/ShowUserReviews-g54229-d97167-r61797195-Super_8_by_Wyndham_Florence-Florence_South_Carolina.html.

⁴⁵ Review of Super 8 by Wyndham Manassas (Sept. 26, 2012), *available at*

- The Super 8 located at 340 W Illinois Avenue I-55 Exit 12C Memphis, Tennessee 38106 received this review in August 2018: “Please don’t stay here... The people in the next room had men coming in and out all night...”⁴⁶

65. CHOICE HOTELS INTERNATIONAL, INC. (“CHOICE”)

- a. Choice Hotels failed to implement and enforce any of its own policy or policies and protect Plaintiff from being sex trafficked.
- b. Defendant Choice had actual knowledge of sex trafficking occurring on its branded hotel properties because Choice and Clarion Inn knew that sex trafficking and prostitution are associated with a high risk of physical and sexual violence, substance abuse, and other illegal dangerous conduct, and that the pimp-sex trafficking victim/prostitute relationship involves the use of force, fraud, and coercion. Choice and Clarion Inn allowed, authorized, permitted, induced, or encouraged the trafficking of individuals for sex at the Clarion Inn. Choice and Clarion Inn facilitated the trafficking through its practices, policies, and procedures. Choice and Clarion Inn failed to take appropriate action to prevent the trafficking of individuals for sex so that Choice and Clarion Inn could continue to profit from the business that trafficking brings, including business from out-of-state.
- c. Defendant Choice had constructive knowledge of sex trafficking occurring on its branded hotel properties because Choice and Clarion Inn knew that sex trafficking and prostitution are associated with a high risk of physical and sexual violence, substance abuse, and other illegal dangerous conduct, and that the pimp-sex trafficking victim/prostitute relationship involves the use of force, fraud, and coercion. Choice and Clarion Inn allowed, authorized, permitted, induced, or

[https://www.tripadvisor.com/ShowUserReviews-g60895-d110534-r141365522-](https://www.tripadvisor.com/ShowUserReviews-g60895-d110534-r141365522-Super_8_by_Wyndham_Manassas-Manassas_Prince_William_County_Virginia.html)

[Super_8_by_Wyndham_Manassas-Manassas_Prince_William_County_Virginia.html](https://www.tripadvisor.com/ShowUserReviews-g60895-d110534-r141365522-Super_8_by_Wyndham_Manassas-Manassas_Prince_William_County_Virginia.html).

⁴⁶ Review of Super 8 by Wyndham Memphis/Dwtn/Graceland Area (Aug. 31, 2018), *available at*

[https://www.tripadvisor.com/ShowUserReviews-g55197-d105222-r612562242-](https://www.tripadvisor.com/ShowUserReviews-g55197-d105222-r612562242-Super_8_by_Wyndham_Memphis_Dwtn_Graceland_Area-Memphis_Tennessee.html)

[Super_8_by_Wyndham_Memphis_Dwtn_Graceland_Area-Memphis_Tennessee.html](https://www.tripadvisor.com/ShowUserReviews-g55197-d105222-r612562242-Super_8_by_Wyndham_Memphis_Dwtn_Graceland_Area-Memphis_Tennessee.html).

encouraged the trafficking of individuals for sex at the Clarion Inn. Choice and Clarion Inn facilitated the trafficking through its practices, policies, and procedures. Choice and Clarion Inn failed to take appropriate action to prevent the trafficking of individuals for sex so that Choice and Clarion Inn could continue to profit from the business that trafficking brings, including business from out-of-state.

d. Choice Hotels knew or should have known that Clarion Inn® hotels where Plaintiff was trafficked were in areas known for high incidences of crime and prone to sex trafficking activity on and around the hotel premises, including when Plaintiff was trafficked.⁴⁷

e. Despite having knowledge of the extensive prostitution and sex trafficking that occurs at its hotels, Defendant Choice Hotels has repeatedly failed to stop these actions.

f. Defendant Choice Hotels exercised control over Clarion Inn® hotels by:

- i. distributing information to assist employees in identifying human trafficking;
- ii. providing a process for escalating human trafficking concerns within the organization;
- iii. requiring employees to attend training related to human trafficking;
- iv. providing new hire orientation on human rights and corporate responsibility;
- v. providing training and education to Clarion Inn® branded hotels through webinars, seminars, conferences, and online portals;
- vi. developing and holding ongoing training sessions on human trafficking; or;
- vii. providing checklists, escalation protocols and information to property management staff; or tracking performance indicators and key metrics on human trafficking prevention

g. Choice Hotels was in an agency relationship with Clarion Inn® branded hotels

⁴⁷ See e.g., Andrew Michaels, *Howard police arrest Baltimore man at Laurel motel in latest human trafficking case*, THE BALTIMORE SUN (Aug. 2, 2017), <https://www.baltimoresun.com/maryland/laurel/ph-ho-cf-dorchy-human-trafficking-0810-20170802-story.html>.

1 offering public lodging services in the hotel. This agency relationship was created
2 through Defendant Choice's exercise of an ongoing and systemic right of control
3 over Clarion Inn® hotels by Defendant Choice's operations, including the means and
4 methods of how Clarion Inn® branded hotels conducted daily business through one
5 or more of the following actions:

- 6 i. hosting online bookings on Defendant Choice Hotels' domain;
- 7 ii. requiring Clarion Inn® branded hotels to use Defendant Choice Hotels' customer
8 rewards program;
- 9 iii. setting employee wages;
- 10 iv. making employment decisions;
- 11 v. advertising for employment;
- 12 vi. sharing profits;
- 13 vii. standardized training methods for employees;
- 14 viii. building and maintaining the facility in a manner specified by the owner;
- 15 ix. standardized or strict rules of operation;
- 16 x. regular inspection of the facility and operation by owner;
- 17 xi. fixing prices; or other actions that deprive Clarion Inn® branded hotels of
18 independence in business operations.
- 19 h. An apparent agency also exists between Defendant Choice Hotels and Clarion Inn®
20 hotels. Defendant Choice Hotels held out Clarion Inn® branded hotels to the public as
21 possessing authority to act on its behalf.
- 22 i. Given Defendant Choice Hotels' public statements on behalf of its hotel brands and
23 the control it assumed in educating, implementing, and directing its branded hotels,
24 including Clarion Inn® branded hotels, Defendant Choice Hotels breached its duties
25 in the following ways:
 - 26 i. did not adequately distribute information to assist employees in identifying
27 human trafficking;
 - 28 ii. failed to provide a process for escalating human trafficking concerns within the

- organization;
- iii. failed to mandate managers, employees, or owners attend training related to human trafficking;
 - iv. failed to provide new hire orientation on human rights and corporate responsibility;
 - v. failed to provide training and education on human trafficking through webinars, seminars, conferences, and online portals;
 - vi. failed to develop and hold or require ongoing training sessions on human trafficking; or
 - vii. failed to provide checklists, escalation protocols and information to property management staff or tracking performance indicators and key metrics on human trafficking prevention.
- j. For years, Defendant Choice Hotels has demonstrated actual and/or constructive knowledge of the rampant culture of sex trafficking which tragically occurs on its Clarion Inn® branded properties throughout the country. This same entrenched, pervasive actual and/or constructive knowledge of sex trafficking facilitated the sex trafficking of Plaintiff at Clarion Inn® hotels that forms the basis of this complaint.
- i. In May 2014, the City of Sacramento closed a Clarion Inn in order to remove a threat to public safety, which included criminal activity such as human trafficking.⁴⁸
 - ii. In October 2014, a human trafficking case made its way through the Knox County judicial system after undercover detectives to a backpage ad and made arrangements to meet a prostitute at the Clarion Inn.⁴⁹
 - iii. In June 2015, two men were charged with sex trafficking after allegedly forcing

⁴⁸ Bill Lindelof, *Sacramento hotel closed after complaints of drugs, prostitution, robbery*, THE SACRAMENTO BEE (May 2015), <https://www.sacbee.com/news/business/article20180466.html>.

⁴⁹ Jamie Satterfield, *Sex trafficking case sent to Knox County grand jury*, KNOXVILLE NEWS SENTINEL (Oct. 2014), <http://archive.knoxnews.com/news/crime-courts/sex-trafficking-case-sent-to-knox-county-grand-jury-ep-701240457-354070691.html/>.

a teenage girl into prostitution after responding to an advertisement and meeting the young girl at the Clarion hotel in Queens, New York.⁵⁰

iv. Additionally, Defendant Choice has been aware of sex trafficking on Clarion Inn brand properties through publicly available websites such as www.facebook.com. Online reviews show the pervasiveness of customer reported sex trafficking on Clarion Inn brand properties and Defendant Choice's inattentiveness, for example:

- In August of 2017, a reviewer on Facebook.com described a stay at the Clarion Inn in San Jose, California as follows: "The surrounding area has constant traffic from prostitutes and druggies."⁵¹

66. G6 HOSPITALITY, LLC ("G6"):

- a. G6 failed to implement and enforce any of its own policy or policies and protect Plaintiff B.M. from being sex trafficked.
- b. Defendant G6 had actual knowledge of sex trafficking occurring on its branded hotel properties because G6 and Motel 6® knew that sex trafficking and prostitution are associated with a high risk of physical and sexual violence, substance abuse, and other illegal dangerous conduct, and that the pimp-sex trafficking victim/prostitute relationship involves the use of force, fraud, and coercion. G6 and Motel 6® allowed, authorized, permitted, induced, or encouraged the trafficking of individuals for sex at the Motel 6®. G6 and Motel 6® facilitated the trafficking through its practices, policies, and procedures. G6 and Motel 6® failed to take appropriate action to prevent the trafficking of individuals for sex so that G6 and Motel 6® could continue to profit from the business that trafficking brings, including business from out-of-state.
- c. Defendant G6 had constructive knowledge of sex trafficking occurring on its branded hotel properties because G6 and Motel 6® knew that sex trafficking and prostitution

⁵⁰ Jackie Strawbridge, *Cuffed Brooklyn Men Allegedly Pimped at LIC Hotel*, LICpost.com (Jun. 2015), <https://licpost.com/cuffed-brooklyn-men-allegedly-pimped-at-lic-hotel>.

⁵¹ Review of Clarion Inn Silicon Valley (August 1, 2017), *available at* https://www.facebook.com/pg/Clarion-Inn-Silicon-Valley-635660233171453/reviews/?referrer=page_recommendations_see_all&ref=page_internal.

1 are associated with a high risk of physical and sexual violence, substance abuse, and
2 other illegal dangerous conduct, and that the pimp-sex trafficking victim/prostitute
3 relationship involves the use of force, fraud, and coercion. G6 and Motel 6® allowed,
4 authorized, permitted, induced, or encouraged the trafficking of individuals for sex at
5 the Motel 6®. G6 and Motel 6® facilitated the trafficking through its practices,
6 policies, and procedures. G6 and Motel 6® failed to take appropriate action to prevent
7 the trafficking of individuals for sex so that G6 and Motel 6® could continue to profit
8 from the business that trafficking brings, including business from out-of-state.

9 d. G6 knew or should have known that the Motel 6® hotel where Plaintiff B.M. was
10 trafficked was an area known for high incidence of crime and prone to sex trafficking
11 activity on and around the hotel premises, including when Plaintiff B.M. was
12 trafficked.

13 e. Despite having knowledge of the extensive prostitution and sex trafficking that
14 occurs at its hotels, Defendant G6 has repeatedly failed to stop these actions.

15 f. Defendant G6 exercised control over Motel 6® hotels by:

- 16 i. distributing information to assist employees in identifying human trafficking;
- 17 ii. providing a process for escalating human trafficking concerns within the
18 organization;
- 19 iii. requiring employees to attend training related to human trafficking;
- 20 iv. providing new hire orientation on human rights and corporate responsibility;
- 21 v. providing training and education to Motel 6® branded hotels through webinars,
22 seminars, conferences, and online portals;
- 23 vi. developing and holding ongoing training sessions on human trafficking; or
- 24 vii. providing checklists, escalation protocols and information to property
25 management staff; or tracking performance indicators and key metrics on
26 human trafficking prevention.

27 g. G6 was in an agency relationship with Motel 6® branded hotels offering public
28 lodging services in the hotel. This agency relationship was created through Defendant

1 G6's exercise of an ongoing and systemic right of control over Motel 6® hotels by
2 Defendant G6's operations, including the means and methods of how Motel 6®
3 branded hotels conducted daily business through one or more of the following actions:

- 4 i. hosting online bookings on Defendant G6's domain;
- 5 ii. requiring Motel 6® branded hotels to use Defendant G6's customer rewards
6 program;
- 7 iii. setting employee wages;
- 8 iv. making employment decisions;
- 9 v. advertising for employment;
- 10 vi. sharing profits;
- 11 vii. standardized training methods for employees;
- 12 viii. building and maintaining the facility in a manner specified by the owner;
- 13 ix. standardized or strict rules of operation;
- 14 x. regular inspection of the facility and operation by owner;
- 15 xi. fixing prices; or
- 16 xii. other actions that deprive Motel 6® branded hotels of independence in business
17 operations.

18 h. An apparent agency also exists between Defendant G6 and Motel 6® hotels. Defendant
19 G6 held out Motel 6® branded hotels to the public as possessing authority to act on its
20 behalf.

21 i. Given Defendant G6's public statements on behalf of its hotel brands and the control it
22 assumed in educating, implementing, and directing its branded hotels, including Motel
23 6® branded hotels, Defendant G6 breached its duties in the following ways:

- 24 i. did not adequately distribute information to assist employees in identifying
25 human trafficking;
- 26 ii. failed to provide a process for escalating human trafficking concerns within the
27 organization;
- 28 iii. failed to mandate managers, employees, or owners attend training related to

- human trafficking;
- iv. failed to provide new hire orientation on human rights and corporate responsibility;
 - v. failed to provide training and education on human trafficking through webinars, seminars, conferences, and online portals;
 - vi. failed to develop and hold or require ongoing training sessions on human trafficking; or
 - vii. failed to provide checklists, escalation protocols and information to property management staff or tracking performance indicators and key metrics on human trafficking prevention.
- j. There are countless examples across place and time of Defendant G6's knowledge on its Motel 6® branded properties and its continued, total inattention to preventing and remedying the blight of human trafficking on the lives and liberties of its victims. The illicit, criminal misconduct is so rampant on Motel 6® branded properties that one online reviewer suggested on a travel website that Motel 6® "Should be called Motel Sex."⁵²
- k. For years, Defendant G6 has demonstrated actual and/or constructive knowledge of the rampant culture of sex trafficking which tragically occurs on its Motel 6® branded properties throughout the country. This same entrenched, pervasive actual and/or constructive knowledge of sex trafficking facilitated the sex trafficking of Plaintiff B.M. at Motel 6® hotels that forms the basis of this complaint.
- i. In late 2003, a trafficker set up a sex trafficking venture at a Motel 6 in Connecticut in which two (2) young women were sold for sex eight (8) to ten

⁵² Review Of Motel 6 Rochester (Aug. 1, 2018), *available at* https://www.tripadvisor.com/ShowUserReviews-g43466-d242739-r601808847-Motel_6_Rochester-Rochester_Minnesota.html (last visited Feb. 28, 2019) (the reviewer was commenting in August 2018, on a Motel 6 located at 2107 West Frontage Road, Rochester, Minnesota 55901 and added, "Prostitutes, drug dealers, and loud partiers are your neighbors including possibly one or two staff members. Complaints to the clerk do no good. The night clerk does not write it down and the day clerks accuse you of lying although I made it clear that I did not want anything in return for my complaints.").

- (10) times per day.⁵³
- ii. In April 2009, a sex trafficking venture operated out of a Motel 6 in Toledo, Ohio.⁵⁴
- iii. In approximately September 2011, sex traffickers set up an operation at a Motel 6 in Toledo, Ohio to sell fifteen (15) and sixteen (16) year old girls for sex.⁵⁵
- iv. From approximately 2012 through October 2014, two (2) men engaged in a criminal sex trafficking venture of children which operated in part out of a Motel 6 in Harvey, Illinois.⁵⁶
- v. Police rescued an eighteen (18) year old girl from a sex trafficker in February 2012, at a Motel 6 in Portland, Oregon.⁵⁷
- vi. The FBI investigated and arrested several individuals in December 2012, for the victimization and human trafficking of several young women and a juvenile at a Motel 6 in Madison, Alabama.⁵⁸
- vii. The Orange County Human Trafficking Task Force busted a criminal enterprise in December 2012 that was selling women for sex out of a Motel 6 in Anaheim, California.⁵⁹
- viii. In approximately March 2013, sex traffickers began operating a sex

⁵³ Amy Fine Collins, *Sex Trafficking Of Americans: The Girls Next Door*, Vanity Fair (May 2011), <https://www.vanityfair.com/news/2011/05/human-trafficking-201105>.

⁵⁴ *Five Toledoans Indicted On Sex Trafficking Charges*, ABC7Chicago.com (Nov. 7, 2010), <https://abc7chicago.com/archive/7771888/>.

⁵⁵ Mark Reiter, *Two Toledoans Accused Of Juvenile Sex Trafficking*, The Blade (Jun. 1, 2010), <https://www.toledoblade.com/Courts/2012/06/02/2-Toledoans-accused-of-juvenile-sex-trafficking-1.html>.

⁵⁶ Complaint, *United States of America v. Samuel Nichols, et al.*, No. 1:15-cr-00756 (N.D. Ill. Dec. 29, 2015); see also Press Release, U.S. Dep't of Justice, *Two Aspiring Rappers Charged With Operating Sex-Trafficking Ring In Chicago And Suburbs* (Jan. 15, 2016), <https://www.justice.gov/usao-ndil/file/813771/download>.

⁵⁷ Press Release, U.S. Dep't of Justice, *Tacoma Pimp Sentenced To 25 Years For Sex-Trafficking Two Victims* (Nov. 20, 2013), <https://www.justice.gov/usao-or/pr/tacoma-pimp-sentenced-25-years-sex-trafficking-two-victims>.

⁵⁸ *FBI Investigates Human Trafficking At Madison Hotel*, WHNT News 19 (Dec. 7, 2012), <https://whnt.com/2012/12/07/fbi-investigates-human-trafficking-at-madison-motel/>.

⁵⁹ *Suspects Busted In Anaheim Sex Ring*, ABC13 Eyewitness News (Dec. 5, 2012), <https://abc13.com/archive/8909784/>.

- trafficking venture out of Motel 6 locations in Bangor and Portland, Maine.⁶⁰
- ix. Beginning in approximately May 2013, a fifteen (15) year old runaway was trafficked for sex out of the Motel 6 on Caton Avenue in Baltimore, Maryland.⁶¹
- x. The FBI busted a sex trafficking ring operating out of a Motel 6 in San Antonio, Texas in September 2013.⁶²
- xi. In Richmond County, Georgia a man was arrested at a local Motel 6 in October 2013, and charged with sex trafficking of two young women.⁶³
- xii. Police investigated a sex trafficker in March 2014 and ultimately charged him for his crimes including, but not limited to, selling a seventeen (17) year old girl for sex out of a Motel 6 in Roseville, Minnesota.⁶⁴
- xiii. In May 2014, two (2) traffickers were arrested at a Motel 6 in Monterey, California after a twenty-one (21) year old woman escaped from their captivity.⁶⁵
- xiv. In the summer of 2014, two (2) girls ages fifteen (15) and sixteen (16) were taken from a children's shelter by a sex trafficker and trafficked out of a

⁶⁰ Danielle McLean, *What Drives Maine Sex Traffickers' Inhumanity*, Bangor Daily News Maine Focus (Sept. 12, 2016), <https://bangordailynews.com/2016/09/12/mainefocus/what-drives-maine-sex-traffickers-inhumanity/>.

⁶¹ Anne Kramer, *Man Faces Prison Time For Sex Trafficking Baltimore Teen*, WBAL News Radio (Apr. 10, 2014), <https://www.wbal.com/article/106578/2/man-faces-prison-time-for-sex-trafficking-baltimore-teen>.

⁶² Stephanie Serna, *Sex Trafficking Ring Busted At Motel 6* (Sept. 17, 2013), <https://www.ksat.com/news/sex-trafficking-ring-busted-at-motel-6>.

⁶³ *UPDATE: Man Arrested For Sex Trafficking*, WRDW.com On Your Side, (Oct. 3, 2013), <https://www.wrdw.com/home/headlines/Man-arrested-for-sex-trafficking-226301261.html>.

⁶⁴ *Man, 25, Is Accused Of Trafficking Teens*, Twin Cities Pioneer Press (Jun. 5, 2014), <https://www.twincities.com/2014/06/05/man-25-is-accused-of-trafficking-teens-2/>.

⁶⁵ Felix Cortez and Amy Larson, *Monterey Police: 2 Human Sex Traffickers Arrested After Victim Escapes Motel*, KSBW8 (May 9, 2014), <https://www.ksbw.com/article/monterey-police-2-human-sex-traffickers-arrested-after-victim-escapes-motel/1054172>.

Motel 6 in Cutler Bay, Florida.⁶⁶

xv. A Las Vegas man was charged with sex trafficking two (2) victims, including a seventeen (17) year old girl, in January 2015, out of a Motel 6 in Rapid City, Nevada.⁶⁷

xvi. In February 2015, two (2) men were arrested for sex trafficking a fourteen (14) year old girl at a Motel 6 in Seekonk, Rhode Island.⁶⁸

xvii. A local law enforcement investigation resulted in the rescue of a fifteen (15) year old runaway in February 2015, from a Motel 6 near the Oakland, California airport where she was being sex trafficked.⁶⁹

xviii. In North Charleston, South Carolina, a seventeen (17) year old girl was rescued in March 2015 from a Motel 6 by special agents from the United States Department of Homeland Security. The girl was sold for sex, beaten, and starved by a sex trafficker.⁷⁰

xix. Two men were arrested in March 2015 for sex trafficking a fifteen (15) year old girl at Motel 6 in Austin, Texas.⁷¹

xx. In March 2015, police arrested a man for sex trafficking a runaway seventeen

⁶⁶ David Goodhue, *Next Stop For Man Accused Of Sex Trafficking 2 Teens: Federal Court*, Miami Herald (Sept. 2, 2015), <https://www.miamiherald.com/news/local/news-columns-blogs/deadline-miami/article33360843.html>.

⁶⁷ *Las Vegas Man Charged With Human Trafficking In Rapid City*, Argus Leader (Jan. 17, 2015), <https://www.argusleader.com/story/news/crime/2015/01/17/las-vegas-man-charged-human-trafficking-rapid-city/21922915/>.

⁶⁸ Stephen Peterson, *RI Man Gets Jail In Sex-Trafficking Case Involving Seekonk Motel* (Oct. 28, 2016), http://www.thesunchronicle.com/news/local_news/ri-man-gets-jail-in-sex-trafficking-case-involving-seekonk/article_d7a25494-9d21-11e6-8f94-63e5c74facb3.html.

⁶⁹ Emilie Raguso, *Woman Charged In Berkeley Teen Sex Trafficking Case* (Dec. 8, 2015), <https://www.berkeleyside.com/2015/12/08/woman-charged-in-berkeley-teen-sex-trafficking-case>.

⁷⁰ Melissa Boughton, *Police Say Teen Starved, Beaten At North Charleston Hotel; Man Arrested In Sex-Trafficking Case* (Mar. 2, 2015), https://www.postandcourier.com/archives/police-say-teen-starved-beaten-at-north-charleston-motel-man/article_032153ee-fcb6-5333-9182-926a7f43dfbf.html.

⁷¹ Lindsay Bramson, *Local Teen Saved From Sex Slavery; Two Charged*, KXAN Austin (Mar. 6, 2015), <https://www.kxan.com/news/local/austin/local-teen-freed-from-sex-slavery-two-charged/1049580764>.

(17) year old at a Motel 6 in Warwick, Rhode Island.⁷²

xxi. Over a fourteen (14) month period ending in approximately April 2015, at the same Motel 6 in Warwick, Rhode Island had seventy-five (75) arrests on its property for crimes including sex-trafficking.⁷³

xxii. Seven (7) people were indicted in January 2016, by a Colorado grand jury for sex trafficking children from 2014 through the summer of 2015, out of hotels in Denver, Colorado, including a Denver area Motel 6.⁷⁴

xxiii. In the summer of 2015, a woman was arrested at a Motel 6 in Great Falls, Montana where she was involved in sex trafficking a seventeen (17) year old girl.⁷⁵

xxiv. A married couple was indicted in June 2015, for their roles in sex trafficking minor children ages seventeen (17), sixteen (16), and fifteen (15) years old out of a Motel 6 in Everett, Washington.⁷⁶

xxv. In Tuscaloosa, Alabama police rescued a fourteen (14) year old girl from a Motel 6 in June 2015, and a grand jury subsequently charged her assailant with human trafficking and rape.⁷⁷

xxvi. In approximately July 2015, sex traffickers sold a fifteen (15) year old

⁷² Amanda Milkovits, *Massachusetts Man Accused Of Trafficking Teen In Warwick Motel*, NewportRI.com (Mar. 24, 2015), <https://www.newportri.com/article/20150324/NEWS/150329666>.

⁷³ Sarah Kaplan, *Crime-Ridden Motel 6 In R.I. Will Hand Over Guest List To Police*, The Washington Post (Apr. 28, 2015), https://www.washingtonpost.com/news/morning-mix/wp/2015/04/28/crime-ridden-motel-6-in-r-i-will-hand-over-guest-list-to-police/?utm_term=.a804ce3f32a8.

⁷⁴ Hsing Tseng, *Seven Indicted By Colorado Grand Jury In Child Sex Trafficking Ring Bust*, Fox 31 Denver (Jan. 6, 2016), <https://kdvr.com/2016/01/06/7-indicted-by-colorado-grand-jury-in-child-sex-trafficking-ring-bust/>.

⁷⁵ Andrea Fisher, *Woman Caught Up In Human Trafficking Ring Pleads Guilty* (Aug. 29, 2016), <https://www.greatfallsbtribune.com/story/news/local/2016/08/29/woman-caught-human-trafficking-ring-pleads-guilty/89566374/>.

⁷⁶ Diana Hefley, *County Investigating 45 Ongoing Human Sex Trafficking Cases*, HeraldNet (Jun. 26, 2015), <https://www.heraldnet.com/news/county-investigating-45-ongoing-human-sex-trafficking-cases/>.

⁷⁷ *Tuscaloosa Man Charged With Rape And Trafficking Mississippi Teen*, NewsMississippi (Nov. 7, 2014), <https://newsms.fm/tuscaloosa-man-charged-human-trafficking-mississippi-teen/>.

girl for sex at a Motel 6 in Pismo Beach, California.⁷⁸

xxvii. In November 2015 a man was arrested at a Motel 6 in Ventura, California and was criminally charged with sex trafficking a fifteen (15) year old girl who was found with him.⁷⁹

xxviii. In January 2016, a man who operated a criminal venture out of a Motel 6 in Frederick City, Maryland was charged with sex trafficking.⁸⁰

xxix. Criminal charges were brought against a man who sex trafficked a fifteen (15) year old girl out of a Motel 6 in Beaumont, Texas in March 2016.⁸¹

xxx. On March 23, 2016, a victim of a sex trafficking ring died at a Motel 6 in Winchester, West Virginia.⁸²

xxxi. The leader of a sophisticated and organized sex trafficking ring beat and raped one of his victims in April 2016, at a Motel 6 in Tinicum Township, Pennsylvania.⁸³

xxxii. A federal court sentenced a man to ten (10) years in prison in November 2016, for sex trafficking a fifteen (15) year old girl in 2014 out of a Motel 6 in

⁷⁸ Matt Fountain, *Four Accused Of Pimping Out 15-Year-Old Girl In SLO Will Will Stand Trial*, SanLuisObispo.com (May 5, 2016), <https://www.sanluisobispo.com/news/local/article75832962.html>.

⁷⁹ *Fresno Man Sentenced To Prison For Pimping, Human Trafficking In Ventura County*, Ventura County Star (Apr. 26, 2016), <https://www.vcstar.com/story/news/local/communities/ventura/2016/04/26/fresno-man-sentenced-to-prison-for-pimping-human-trafficking-in-ventura-county/88714698/>.

⁸⁰ *Frederick Police Arrest Man On Human Trafficking Charges*, CBS13 Baltimore (Jan. 16, 2016), <https://baltimore.cbslocal.com/2016/01/16/frederick-police-arrest-man-on-human-trafficking-charges/>.

⁸¹ Quentin Hope, *Women Accuse Defendant Of Sex Trafficking, Threatening To Kill Them*, KFDM.com (Sept. 11, 2018), <https://kfdm.com/news/local/women-accuse-defendant-of>.

⁸² Ellie Williams, *Martinsburg Man Convicted On Sex Trafficking And Drug Charges*, LocalDVM.com (Jan. 17, 2019), <https://www.localdvm.com/news/virginia/martinsburg-man-convicted-on-sex-trafficking-drug-charges/1708490814>.

⁸³ Justin Heinze, *Man Behind Human Trafficking Ring In Chester County Sentenced*, Patch (Sept. 26, 2017), <https://patch.com/pennsylvania/phoenixville/man-behind-human-trafficking-ring-chester-county-sentenced>.

Hartford County, Connecticut.⁸⁴

xxxiii. Local law enforcement rescued a seventeen (17) year old runaway in December 2016, who was being sex trafficked from a Motel 6 in Gibbstown, New Jersey.⁸⁵

xxxiv. In February 2017, the leader of a child sex trafficking ring in Tulsa, Oklahoma, was busted at a local Motel 6 where federal authorities rescued a sixteen (16) year old survivor of sex trafficking.

xxxv. A forty-five (45) year old man was charged with human trafficking after picking up a teenage boy from school and taking him to a Motel 6 in Cedar Park, Texas in approximately March 2017.⁸⁶

xxxvi. At a Motel 6 in Des Moines, Iowa a man sex trafficked a minor victim in June 2017.⁸⁷

xxxvii. In approximately June 2017, a seventeen (17) year old runaway was rescued by law enforcement from a Motel 6 in Las Vegas, Nevada out of which a sex trafficker was operating.⁸⁸

xxxviii. A seventeen (17) year old girl was sold for sex by traffickers at a Motel 6 in Portland, Oregon in June 2017.⁸⁹

⁸⁴ David Owens, *Hartford Man Sentenced To Prison For Sex Trafficking Of 15-Year-Old Girl*, Hartford Courant (Nov. 14, 2016), <https://www.courant.com/news/connecticut/hc-sex-trafficking-teenager-prison-1115-20161114-story.html>.

⁸⁵ Matt Gray, *Three Indicted On Charges Of Forcing Teen Into Prostitution*, NJ.com (Sept. 24, 2017), https://www.nj.com/gloucester-county/index.ssf/2017/09/post_139.html.

⁸⁶ *Little Elm Man Accused Of Trafficking Austin Teen*, KHOU11.com (Sept. 19, 2017), <https://www.khou.com/article/news/local/texas/little-elm-man-accused-of-trafficking-austin-teen/285-476893013>.

⁸⁷ Luke Nozicka, *Seven Des Moines Residents Charged With Sex Trafficking, Feds Say*, The Des Moines Register (Jun. 11, 2018), <https://www.desmoinesregister.com/story/news/crime-and-courts/2018/06/11/7-des-moines-residents-charged-sex-trafficking-feds-des-moines-sexual-prostitution-iowa-texas/692264002/>.

⁸⁸ Rachel Crosby, *Woman Accused Of Sex Trafficking Runaway On Las Vegas Strip*, Las Vegas Review-Journal (Jun. 2, 2017), <https://www.reviewjournal.com/crime/sex-crimes/woman-accused-of-sex-trafficking-runaway-on-las-vegas-strip/>.

⁸⁹ Nick Morgan, *Accused Human Traffickers Stopped In Medford*, Mail Tribune (Jul. 7, 2017), <http://mailtribune.com/news/crime-courts-emergencies/accused-human-traffickers-stopped-in-medford>.

xxxix. In August 2017, two (2) men operated out of a Motel 6 in Springfield, Virginia to sex traffic a sixteen (16) year old girl.⁹⁰

xl. The City of Los Angeles settled a nuisance suit with G6 Hospitality, which operates Motel 6 hotels, in August 2017, for \$250,000.00 in an effort to combat human trafficking at Motel 6 brand hotels.⁹¹

xli. In October 2017, the County Attorney's Office for Harris County, Texas sued a local Motel 6 after law enforcement identified the property as a criminal hotspot that had been attracting drug activity, human trafficking, and violent crime for years. The suit alleged the Motel 6 knowingly tolerated and failed to make reasonable efforts to abate the criminal activities on its property.⁹²

xl.ii. Two (2) men were arrested in December 2017, for sex trafficking a minor female out of a Motel 6 in Destin, Florida.

xl.iii. In February 2018, a man engaged in sex trafficking of two (2) women at a Motel 6 near New Orleans, Louisiana.⁹³

xl.iv. The Columbus City Attorney's Office issued ultimatums in February 2018, to several area hotels to clean up or shut down, including but not limited to, the Motel 6 at 7480 North High Street which, according to police, had been the site of significant criminal activity and is nearby the Motel 6 Columbus.⁹⁴

xl.v. Law enforcement responded to a 911 call from a seventeen (17) year

⁹⁰ Emily Leayman, *16-Year-Old Forced To Be Prostitute At Springfield Motel: Report*, Patch (Feb. 6, 2018), <https://patch.com/virginia/burke/16-year-old-forced-be-prostitute-springfield-motel-report>.

⁹¹ Michael Balsamo, *Motel 6 To Pay To Settle Human Trafficking Case*, APNews.com (Aug. 31, 2017), <https://apnews.com/d13636fec55c42b88a08af18db6196fb>.

⁹² Mayra Cruz, *Harris County Sues Spring Area Motel Labeled Hot Spot For Crime*, Chron.com (Oct. 20, 2017), <https://www.chron.com/neighborhood/spring/news/article/Harris-County-sues-Spring-area-motel-labeled-12293254.php>.

⁹³ Emily Lane, *Man Accused Of Trafficking Took Females To New Orleans To 'Make Some Money For Mardi Gras'*, Nola.com (Oct. 18, 2018), <https://www.nola.com/crime/2018/10/man-accused-of-trafficking-took-females-to-new-orleans-to-make-some-money-for-mardi-gras-warrant.html>.

⁹⁴ Maureen Kocot, *Columbus Cracks Down On Businesses With High Crime Rates*, 10 WBNS (Feb. 7, 2018), <https://www.10tv.com/article/columbus-cracks-down-businesses-high-crime-rates>.

old girl who was calling from the lobby of a Motel 6 in Claremont, California in February 2018. Upon arrival, officers discovered that the seventeen (17) year old caller and a fifteen (15) year old girl were both being sex trafficked at the hotel.⁹⁵

xlvi. In March 2018, police found a ten (10) year old girl wearing a dog collar with a twenty-three (23) year old man who had raped her at a Motel 6 in Lakeland, Florida.⁹⁶

xlvii. In Richfield, Minnesota a man was criminally charged in June 2018, for sex trafficking a fifteen (15) year old girl out of an area Motel 6.⁹⁷

xlvi. Police busted a human trafficking operation at a Motel 6 in Ann-Arbor, Michigan in July 2018.⁹⁸

xlix. A Motel 6 in Braintree, Massachusetts surrendered its operating license in September 2018, after significant criminal activity, including sex trafficking, was documented occurring on its property.⁹⁹

1. Not until September 2018, did Defendant G6 announce that “the company will introduce anti-human trafficking training to corporate, field and property team members...Additionally, the company developed its own training for all property team members to understand how to effectively intervene and identify potential trafficking situations to protect each other, guests and the community.”

⁹⁵ Serena Fangary, *Social Media, Sexual Assault, And Sex Trafficking*, Webb Canyon Chronicle (May 23, 2018), <https://webbcanyonchronicle.com/2953/features/social-media-sexual-assault/>.

⁹⁶ David Neal, *Florida Man, Burger King Manager Met His Online Girlfriend For A Hotel Sex Date, Cops Say She's 10.*, Miami Herald (Mar. 29, 2018), <https://www.miamiherald.com/news/local/community/miami-dade/west-miami-dade/article207303799.html>.

⁹⁷ *Man Charged With Sex Trafficking, Prostitution Of 15-Year-Old At Richfield Motel*, 5 ABC Eyewitness News (Jun. 19, 2018), <https://kstp.com/news/man-charged-sex-trafficking-richfield-hotel/4955796/>.

⁹⁸ Darcie Moran, *Man Charged With Human Trafficking At Ann Arbor-Area Hotel*, MLive.com (Dec. 7, 2018), <https://www.mlive.com/news/ann-arbor/2018/12/man-charged-with-human-trafficking-at-ann-arbor-area-hotel.html>.

⁹⁹ Daniel Libon, *Motel 6 Ends Fight To Reopen Braintree Location*, Patch (Sept. 19, 2018), <https://patch.com/massachusetts/braintree/motel-6-ends-fight-reopen-braintree-location>.

Even after this announcement, sex trafficking at Motel 6 properties continued.

li. In November 2018, federal authorities arrested a man for sex trafficking a woman out of a Motel 6 in San Jose, California.¹⁰⁰

lii. In December 2018, a husband and wife were arrested for sex trafficking women who were Chinese nationals out of a Motel 6 in Portsmouth, New Hampshire from approximately 2016 through 2017.¹⁰¹

liii. A fourteen (14) year old girl was held against her will at a Motel 6 in Raleigh, North Carolina and sex trafficked in or around January 2019.¹⁰²

liv. Additionally, Defendant G6 has been aware of sex trafficking occurring on Motel 6 brand properties through publicly available online review websites such as www.yelp.com. Online reviews show the pervasiveness of customer reported sex trafficking on Motel 6 brand properties and Defendant G6's inattentiveness, for example:

- Regarding a July 2010 stay at a Motel 6 in Jonesboro, Georgia, a customer titled the review: "This [Motel 6] has a prostitution ring running out of the motel STAY AWAY!" He further wrote: "The owners of the hotel allow thugs to rent weekly rooms in the rear of the hotel. These thugs openly run prostitution rings in the hotel... Pimps [hurriedly] pushed young girls toward the back of the hotel yelling at them to 'get that money.'"¹⁰³

¹⁰⁰ *Alleged Pimp Arrested in San Jose for Sex-Trafficking Young Woman He Found on Instagram*, San Jose Inside (Nov. 9, 2018), <https://www.sanjoseinside.com/2018/11/09/alleged-pimp-arrested-in-san-jose-for-sex-trafficking-young-woman-he-found-on-instagram/>.

¹⁰¹ Elizabeth Dinan, *Husband, Wife Charged In Sex Trafficking 'Scheme'*, Fosters.com (Dec. 14, 2018), <https://www.fosters.com/news/20181214/husband-wife-charged-in-sex-trafficking-prostitution-scheme>.

¹⁰² Amanda Lamb, *Third Man Arrested In Raleigh Alleged Child Trafficking*, WRAL.com, <https://www.wral.com/third-man-arrested-in-raleigh-alleged-child-trafficking/18104963/> (last visited Feb. 28, 2019).

¹⁰³ Review of Motel 6 Jonesboro (Jul. 26, 2010), available at https://www.tripadvisor.com/ShowUserReviews-g35039-d86580-r72497067-Southside_Inn_Jonesboro-Jonesboro_Georgia.html.

- Regarding a November 2012, stay at a Motel 6 in Madison, Alabama a customer wrote: “[L]ocal police raided several rooms in the a.m. And arrested numerous ‘guests’ for what we later found out were drug, prostitution, and sex trafficking charges!! Like a movie. An extra \$20 bucks gets you a better room, healthier conditions, and no 2 am SWAT team visit.”¹⁰⁴
- Another guest of the Motel 6 located at 8995 Madison Boulevard, Madison, Alabama 35758 wrote an online review in April 2015, entitled, “We’ll Leave the RED- Light on for You[,]” deriding the Motel 6 brand’s advertising campaign, “We’ll leave the light on for you®.”¹⁰⁵ The guest went on to describe indicia of human trafficking which the security guard on site ignored and concluded: “I’ve since read other reviews that claimed prostitution, sex-trafficking, and drug use at this hotel; after my one night’s stay, I have NO reason to question these claims.”¹⁰⁶
- In September 2015, a guest of the Motel 6 located at 31 North Green Bay Road, Waukegan, Illinois 60085 wrote: “HORRIBLE HOTEL!!!...Prostitutes all over, drug dealers thru [sic] the hallway and parking lot[.]”¹⁰⁷

¹⁰⁴ Review Of Motel 6 Huntsville-Madison (Dec. 26, 2012), *available at* https://www.tripadvisor.com/ShowUserReviews-g30677-d244048-r201566882-Motel_6_Huntsville_Madison-Madison_Alabama.html (last visited Feb. 28, 2019).

¹⁰⁵ Review Of Motel 6 Huntsville-Madison (Apr. 29, 2015) https://www.tripadvisor.com/ShowUserReviews-g30677-d244048-r266732408-Motel_6_Huntsville_Madison-Madison_Alabama.html (last visited Mar. 1, 2019).

¹⁰⁶ *Id.*

¹⁰⁷ Review Of Motel 6 Waukegan (Sept. 14, 2015), *available at* <https://www.yelp.com/biz/motel-6-waukegan> (last visited Feb. 28, 2019).

- A guest of the Motel 6 located at 2727 White Lane, Bakersfield, California 93304 wrote in October 2015: “Prostitutes and drug dealers hung around outside for hours.”¹⁰⁸
- The Motel 6 located at 20 Jefferson Boulevard, Warwick, Rhode Island 02888 received this review in April 2016: “This motel has been in the news for domestic disputes, police standoffs, illegal meth labs, robberies, beatings, prostitution, and human trafficking. I am SHOCKED they are still in business. ...[T]he motel looks post apocalyptic. Stay here for Halloween if you really want the scare of your life.”¹⁰⁹
- In September 2016, a reviewer described a Motel 6 in Austin, Texas as follows: “we witnessed shady, sketchy activities of all sorts going on in the parking lot as well as at the businesses surrounding the motel which included: drug activity and use...shady characters circling the buildings multiple times, sex worker transactions, an actual fight, and possible human trafficking activity.”¹¹⁰
- A review of the Motel 6 located at 34047 Fremont Boulevard, Fremont, California 94555 posted in February 2017 stated: “Guys might be sex trafficking at this Motel 6. I saw young girls and older men often.”¹¹¹

¹⁰⁸ Review Of Motel 6 Bakersfield (Oct. 22, 2015), *available at* <https://www.yelp.com/biz/motel-6-bakersfield> (last visited Feb. 28, 2019).

¹⁰⁹ Review Of Motel 6 Warwick (Apr. 10, 2016), *available at* <https://www.yelp.com/biz/motel-6-warwick> (last visited Feb. 28, 2019).

¹¹⁰ Review of Motel 6 Austin-Midtown (Jul. 12, 2017), *available at* https://www.tripadvisor.com/ShowUserReviews-g30196-d98441-r501375572-Motel_6_Austin_Midtown-Austin_Texas.html (last visited Feb. 28, 2019).

¹¹¹ Review of Motel 6 Fremont North (Feb. 2017), *available at* <https://www.kayak.com/Fremont-Hotels-Motel-6-Fremont-North.113185.ksp> (last visited Feb. 28, 2019).

- A guest of the Motel 6 located at 497 Quince Orchard Road, Gaithersburg, Maryland 20878 bemoaned in May 2017: “At one point the fighting between the prostitutes and pimp was so loud that the police were called.”¹¹²
- The Motel 6 located at 1015 South Washburn Street, Osh Kosh, Wisconsin received the following review in May 2018: “It was in a very dangerous area and the first night I was there and returned from an outing... there were 8 police men busting some human trafficking people!! This is common there I found out.”¹¹³
- A guest of a Motel 6 in Lawrenceville, New Jersey reported in July 2018: “[A] woman walked...in, barely able to hold herself up and clearly drugged out of her mind[.] She told [the clerk] she had ‘an appointment’ in room 2-whatever, he handed her a keycard, and she...flagged down a car that was pulled off near the entrance, and walked towards the rooms at the back of the building as the car followed her. To me, that screamed human trafficking/prostitution.”¹¹⁴
- On September 11, 2018, a reviewer of the Motel 6 located at 7541 Nates Road, Columbia, South Carolina posted: “Really nasty. My husband was propositioned and I was asked if I wanted drugs. Lots of men hanging out in lobby selling women. The

¹¹² Review Of Motel 6 Gaithersburg (May 15, 2017), *available at* <https://www.yelp.com/biz/motel-6-gaithersburg> (last visited Feb. 28, 2019).

¹¹³ Review Of Motel 6 Oshkosh (May 20, 2018), *available at* <https://www.booking.com/reviews/us/hotel/motel-6-oshkosh.html> (last visited Feb. 28, 2019).

¹¹⁴ Review Of Motel 6 Lawrenceville, NJ (Jul. 10, 2018), *available at* <https://www.travelocity.com/Princeton-Hotels-Howard-Johnson-By-Wyndham-PrincetonLawrenceville.h17767.Hotel-Information> (last visited Feb. 28, 2019).

room was nasty...The parking lot is harboring a sex trafficking situation along with drug sales. We were lucky to get out with our lives.”¹¹⁵

- A guest who stayed at the Motel 6 located at 1051 Eastern Boulevard, Montgomery, Alabama 36117 in December 2018 wrote: “The drug dealers operating out of some of the rooms. Also there could have been prostitution or human trafficking going on. Very suspicious. Lots of cars in and out all night long.”¹¹⁶
- In reference to a December 2018, visit to a Motel 6 located at 7640 Cedar Avenue South, Richfield, Minnesota 55423, a reviewer observed: “There’s also clearly some human trafficking going on, but judging from the occasional visits by security and police, nothing is going to be done about that.”¹¹⁷

iv. In addition to the indictments and other evidence of trafficking at a Motel 6 property nearby, Motel 6 Columbus was aware of illegal activity at its premises and refused to do anything about it. One customer who stayed at the Motel 6 Columbus complained that her “[g]randdaughter [stepped] on [a] broken needle left by previous [tenant]” and the manager “would not make out [an incident] report,” so she had to call the police.¹¹⁸

¹¹⁵ Review Of Motel 6 - Columbia, SC (Sept. 11, 2018), *available at* <https://www.yelp.com/biz/motel-6-columbia-2> (last visited Feb. 28, 2019).

¹¹⁶ Review Of Motel 6 Montgomery - East (Jan. 1, 2019), *available at* <https://www.booking.com/hotel/us/montgomery-1051-eastern-boulevard.html#tab-reviews> (last visited Feb. 28, 2019).

¹¹⁷ Review Of Motel 6 Minneapolis Airport - Mall Of America (Jan. 8, 2019), *available at* <https://www.booking.com/hotel/us/motel-6-minneapolis-airport-mall-of-america.html#tab-reviews> (last visited Feb. 28, 2019).

¹¹⁸ Review of Motel 6 Columbus - Worthington (Aug. 18, 2015), *available at* <https://www.expedia.com/Columbus-Hotels-Motel-6-Columbus-Worthington.h14174.Hotel-Information?chkin=3%2F3%2F2019&chkout=3%2F4%2F2019&rm1=a2&hwrqCacheKey=e16976ef->

C. THE SEX TRAFFICKING OF B.M.

67. In 2014, Plaintiff B.M. was first subjugated to sex trafficking at Defendants' hotels when she was 16 years old.

68. For two years, Plaintiff's traffickers rented two adjoining rooms at the Super 8 and Clarion Inn. Plaintiff was one of several other girls that were being simultaneously trafficked in these two rooms. Each girl, including minor Plaintiff B.M., would be forced to perform commercial sex acts with ten to fifteen men a day.

69. Clarion Inn employees threatened to eject Plaintiff B.M. and her traffickers, but never took further action. Despite these threats, Plaintiff B.M. and several other victims continued to be trafficked on the premises.

70. For one month, Plaintiff B.M. was trafficked at the Motel 6, where she was raped hundreds of times for the profit of her pimp and to the benefit of Defendant G6. Plaintiff was forced to perform commercial sex acts with up to twenty (20) men a day.

71. Day after day, a procession of adult men would enter minor Plaintiff B.M.'s room, stay for 15 minutes to an hour on average, and then leave.

72. The adult men arriving at the Plaintiff's room were typically middle-aged men of a variety of races – none of whom appeared to be age-appropriate contemporaries of the minor Plaintiff. None of these visitors acted in any manner as though they were a guardian or relative of the minor Plaintiff.

73. One of Plaintiff's traffickers had a personal relationship with the front desk employee at the Motel 6. Through this relationship, Plaintiff's trafficker was able to secure a room in the back of the hotel, out of sight from most of the other patrons and passerby. This front desk employee would also notify the trafficker when law enforcement officials were on or near the premises.

74. Through hotel staff and employees, Defendants knew or should have known that Plaintiff B.M. was being trafficked for sex due to, but not limited to:

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f4b08c98537aHWRQ1551645996343&cancellable=false®ionId=874&vip=false&c=c09cca44-f814-4c01-
a3f4-
c9ce719b313d&&exp_dp=52.99&exp_ts=1551645996754&exp_curr=USD&swpToggleOn=false&exp
_pg=HSR (last visited Mar. 3, 2015).

- a. large amounts of used condoms, empty lube bottles, and other sex-related items in the hotel room;
- b. payments for the rooms in cash;
- c. Plaintiff's physical appearance (malnourished, bruised, beaten)
- d. a continuous procession of older men entering and leaving minor Plaintiff B.M.'s room;
- e. excessive requests for sheets, cleaning supplies, room service
- f. the personal relationship between the front desk employees and Plaintiff's traffickers

D. THE DEFENDANTS FACILITATED THE TRAFFICKING OF B.M.

75. Wyndham, Choice, and G6 ("Defendant Hotels") profited from the sex trafficking of B.M. and knowingly or negligently aided and engaged with her trafficker in his sex trafficking venture. The Defendants leased rooms to B.M.'s traffickers when they knew, or should have known, that her trafficker was using their room to subject B.M. to repeated exploitation as he forced her into sexual servitude.

76. Defendant Hotels knew, or should have known, that B.M. was being trafficked and that the Defendants were knowingly benefiting financially from said exploitation, because B.M.'s trafficker frequented the Defendants' hotels.

77. Defendant Hotels knew, or should have known, that B.M. was being trafficked because B.M. constantly entertained traffic to appease her traffickers' daily quotas and their behavior indicated they were using the Defendants' hotels for his illegal sex trafficking venture.

78. Defendant Hotels actively participated in this illegal endeavor by knowingly or negligently providing lodging in which to harbor B.M. while he was trafficking her.

79. Defendant Hotels profited from the sex trafficking of B.M. and knowingly or negligently aided and participated with B.M.'s trafficker in his criminal venture. The Defendants took no action as B.M. repeatedly visited the hotel, often with different guests, avoiding all eye contact, and exhibiting signs of malnourishment.

80. The Defendant Hotels all had the opportunity to stop B.M.'s trafficker and offenders like him from victimizing B.M. and others like her. Instead, every Defendant failed to take reasonable

measures to stop sex trafficking from occurring in their hotels.

81. The Defendant Hotels all financially benefited from the sex trafficking of B.M., and other victims like her, and developed and maintained business models that attract and foster the commercial sex market for traffickers and buyers alike.

82. Defendant Hotels enjoy the steady stream of income that sex traffickers bring to their hotel brands, such as the Super 8, Clarion Inn, and Motel 6.

83. Defendant Hotels financially benefit from their ongoing reputation for privacy, discretion, and the facilitation of commercial sex.

84. Defendant Hotels failed to take any steps to alert the authorities, properly intervene in the situation, or take reasonable security steps to improve awareness of sex trafficking and/or prevent sexual exploitation on their properties.

85. Defendant Hotels maintained their deficiencies to maximize profits by:

- a. Reducing the cost of training employees and managers on how to spot the signs of human trafficking and sexual exploitation and what steps to take;
- b. Not refusing room rentals, or reporting guests to law enforcement, in order to maximize the number of rooms occupied and the corresponding rates, even if the rooms rented were to sex traffickers or buyers;
- c. Lowering security costs by not having proper security measures, including, but not limited to, employing qualified security officers to actively combat human trafficking and sexual exploitation.

86. As a direct and proximate result of these egregious practices on the part of the Defendant Hotels, B.M. and victims of sex trafficking and exploitation like her, have been permanently injured and damaged physically, emotionally, psychologically, and financially.

CAUSES OF ACTION

A. COUNT ONE – 18 U.S.C §1595 (“TVPPRA”)

87. The Plaintiff B.M. incorporates each foregoing allegation.

88. B.M. is a victim of sex trafficking within the meaning of 18 U.S.C. §1591(a) and is therefore entitled to bring a civil action under 18 U.S.C. §1595.

89. The Defendants' acts, omissions, and commissions, taken separately and/or together, outlined above, constitute a violation of 18 U.S.C. §1595. Specifically, the Defendants had a statutory obligation not to benefit financially from a venture that they knew, or should have known, to engage in violations of 18 U.S.C. §1591 (a). At all relevant times, the Defendants breached this duty by participating in, and facilitating, the harboring and providing of B.M. for the purposes of commercial sex induced by force, fraud, or coercion, by their acts, omissions, and commissions.

90. The Defendants have financially benefited as a result of these acts, omissions, and/or commissions by keeping operating costs low, and maintaining the loyalty of the segment of their customer base that seeks to participate in the sex trade. Moreover, the Defendants directly benefitted from the trafficking of B.M. on each occasion they received payment for rooms that she was being kept in at the Defendants' hotels. The actions, omissions, and/or commissions alleged in this pleading were the but-for and proximate cause of B.M.'s injuries and damages.

91. B.M. has suffered substantial physical and psychological injuries as the result of being trafficked and sexually exploited at the Defendants' hotels and properties in violation of 18 U.S.C. §1591(a).

PRAYER FOR RELIEF

WHEREFORE the Plaintiff requests that the jury selected to hear this case render a verdict in her favor on all counts alleged, and against each and every named Defendant, separately and severally, and that it award damages to her in an amount which will adequately compensate her for the injuries and damages she sustained due to the Defendants' conduct outlined as follows:

- a. All available compensatory damages for the described losses with respect to each cause of action;
- b. past and future medical expenses, as well as the costs associated with past and future life care;
- c. past and future lost wages and loss of earning capacity;
- d. past and future emotional distress;
- e. consequential and/or special damages;

- f. all available noneconomic damages, including without limitation pain, suffering, and loss of enjoyment of life;
- g. disgorgement of profits obtained through unjust enrichment;
- h. restitution;
- i. punitive damages with respect to each cause of action;
- j. reasonable and recoverable attorneys' fees;
- k. costs of this action; and
- l. pre-judgment and all other interest recoverable.

Also, on the basis of the foregoing, the Plaintiff requests that a jury be selected to hear this case and render a verdict for the Plaintiff, and against the Defendants, and that it award damages to the Plaintiff in an amount which adequately reflects the enormity of the Defendants' wrongs, and which will effectively prevent other similarly caused acts. Further, the Plaintiff requests that the Court enter judgment consistent with the jury's verdict, and prays for any other damages and equitable relief the Court or jury deems appropriate under the circumstances.

THE PLAINTIFF DEMANDS A TRIAL BY JURY

Dated: January 28, 2020

RESPECTFULLY SUBMITTED,

/s/ Christopher Paulos

Christopher Paulos (Cal. Bar No. 272750)

Kimberly L. Adams (*pro hac vice* admission forthcoming)

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Kathryn L. Avila (*pro hac vice* admission forthcoming)

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