



Nadeem Bezar, left, and Emily Marks, right, with Kline & Specter. Courtesy photos

NEWS

Child Welfare Agency, Hotel Agree to \$9.4M Settlement With Trafficking Victim

The agreement resolved the plaintiff's claims against a child welfare agency that placed her in a foster home with the man who would become her trafficker, as well as her claims against a hotel where she was trafficked.

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Litigation



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What You Need to Know

- First Home Care and Days Inn agreed to a \$9.4 million global settlement with a woman sexually abused and trafficked as a teenager.
- The plaintiff alleged that First Home Care placed her in an unsuitable foster home, placing her in contact with the man who

would become her abuser.

- The plaintiff's lawyers said the length of time since the abuse occurred created challenges in litigating the case.

A woman trafficked and sexually abused as a teenager reached a \$9.4 million settlement with two entities she alleged facilitated her abuse.

The agreement resolved the plaintiff's claims against a child welfare agency that placed her in a foster home with the man who would become her trafficker, as well as her claims against a hotel where she was trafficked.

The agency signed on to the resolution Tuesday, just two days before jury selection in the case was set to begin. According to Nadeem Bezar, who represented the plaintiff alongside fellow Kline & Specter partner Emily Marks, the hotel had already agreed to settle earlier in the litigation.

Bezar declined to say how the \$9.4 million would be divided between the defendants. He also declined to name the defendant agency, though court documents say the claims were against ABS Lincs PA Inc., which does business as First Home Care.

The plaintiff, referred to in case filings as D.P., claimed that First Home Care caused her abuse by placing her in an unsuitable foster home in 2009. She asserted that First Home Care approved the home despite various red flags, including that the foster mother's adult son had previously been incarcerated for drug and firearm-related felonies.

D.P., who was placed in the home when she was 13, alleged that the son groomed her and eventually recruited her into a sex trafficking ring. She alleged that the son took her away from the foster home, sexually assaulted her and trafficked her at nearby hotels over the course of about two years.

First Home Care argued that it had no ability or legal duty to prevent the incidents of abuse alleged by D.P. because they occurred after she had left the home. The agency also contended that it had not been obligated to run a background check on the foster mother's son because he did not live in the home.

Buchanan Ingersoll & Rooney shareholder Michael Bootier, who represented First Home Care, did not respond to a request for comment, nor did McCormick & Priore senior shareholder Philip Priore, who represented the hotel defendant, Days Inn.

In addition to disputing liability, the agency had also argued that the statute of limitations for D.P.'s claims had expired.

While the defense did not succeed in that argument, the length of time that had passed since the alleged abuse still presented obstacles in the plaintiff's case, according to D.P.'s lawyers.

Marks said time and trauma were roadblocks to piecing together D.P.'s case, something Marks said is true of many abuse cases. "They might not have the clearest memory, and so it's a matter of doing our due diligence during discovery," she said.

Marks said the plaintiff's team sought out records related to D.P.'s time in foster care, but they were not always able to obtain the documents they were after. But eventually, Marks said, they found the evidence necessary to drive the case toward resolution by showing that the defendant placed D.P. in a home that should not have been approved.
