

# **EXHIBIT 1**

Valerie Garcia 8504366184

6:17 PM

SUM-100

**SUMMONS  
(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

G6 HOSPITALITY, LLC; RED LION HOTELS CORPORATION; KANTILAL KATRI AND RAJESHKUMAR KATRI D/B/A ECONOMY INN; ... (see attached for continuation of Defendants)

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

J.B., an individual, child sex trafficking survivor

**FILED BY FAX**

ALAMEDA COUNTY

September 19, 2019

CLERK OF  
THE SUPERIOR COURT

By Shabra Iyamu, Deputy

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form. If you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es): Superior Court, County of Alameda  
1225 Fallon Street  
Oakland, CA 94612

CASE NUMBER: (Número del Caso):  
RG19035936

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

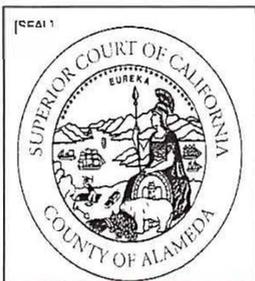
Carissa Phelps, Bauer & Phelps, LLP, 215 Tacoma Ave S., Tacoma, WA, 98407, 253-383-2000

DATE:  
(Fecha) September 19, 2019

Cl. Iyamu  
(Secretario)

, Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)



**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):
3.  on behalf of (specify): Craigslist, Inc.  
under:  CCP 416.10 (corporation)  CCP 416.60 (minor)  
 CCP 416.20 (defunct corporation)  CCP 416.70 (conservatee)  
 CCP 416.40 (association or partnership)  CCP 416.90 (authorized person)  
 other (specify):
4.  by personal delivery on (date) 4/6/19

Valerie Garcia 8504366184

(74/75) 09/19/2019 06:40:55 PM

Attached to: Summons (*CITACION JUDICIAL*) Sum 100  
J.B. v. G6 Hospitality, LLC, et. al.

NOTICE TO DEFENDANT

(*AVISO AL DEMANDO*)

**CONT'D FROM PREVIOUS LIST**

...MITCHELL HOTEL, INC. D/B/A MITCHELL HOTEL; SRK MOTEL, INC. D/B/A BAY BREEZE INN;  
KALPESH K. BALSAR D/B/A SAGE MOTEL; GANGABEN A. PATEL TRUST 2000 D/B/A HOLIDAY  
MOTEL; EAST BAY LODGING, LLC D/B/A MILLS MOTEL; SARKAR, LLC D/B/A BUDGET INN;  
CRAGISTLIST, INC.; KAIROS UNLIMITED COUNSELING SERVICES; Jamie R. Barcelona and  
Remedios R. Barcelona

The name, address, and telephone number of plaintiff's attorney:

Carissa Phelps (Cal Bar 264044)

Bauer & Phelps, LLP, 215 Tacoma Ave S., Tacoma, WA, 98402, phone: 253-383-2000

Attached to: Summons (*CITACION JUDICIAL*) Sum 100  
J.B. v. G6 Hospitality, LLC, et. al.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Carissa Phelps (Cal Bar #264044)</b> <b>Bauer &amp; Phelps, LLP</b> 215 Tacoma Ave S. Tacoma, WA 98402 TELEPHONE NO.: <b>253-383-2000</b> FAX NO.: <b>253-383-0154</b> ATTORNEY FOR (Name): <b>J.B., an individual</b>		<b>FOR COURT USE ONLY</b>  <b>FILED BY FAX</b> ALAMEDA COUNTY  September 19, 2019  CLERK OF THE SUPERIOR COURT By Shabra Iyamu, Deputy  CASE NUMBER: <b>RG19035936</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda</b> STREET ADDRESS: <b>1225 Fallon St.</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Oakland, CA 94612</b> BRANCH NAME:		CASE NUMBER:  JUDGE:  DEPT:
CASE NAME: <b>J.B. v. G6 Hospitality, et. al.</b>		CASE NUMBER:
<b>CIVIL CASE COVER SHEET</b> <input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000) <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less)	<b>Complex Case Designation</b> <input type="checkbox"/> <b>Counter</b> <input type="checkbox"/> <b>Joinder</b> Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	JUDGE:  DEPT:

*Items 1-6 below must be completed (see instructions on page 2).*

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input checked="" type="checkbox"/> Large number of separately represented parties	d. <input checked="" type="checkbox"/> Large number of witnesses
b. <input checked="" type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input checked="" type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a.  monetary    b.  nonmonetary; declaratory or injunctive relief    c.  punitive

4. Number of causes of action (specify): **5**

5. This case  is  is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: September 19, 2019  
 Carissa Phelps

  
 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

CM-010

**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET**

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

**CASE TYPES AND EXAMPLES****Auto Tort**

Auto (22)—Personal Injury/Property Damage/Wrongful Death  
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death  
Product Liability (*not asbestos or toxic/environmental*) (24)  
Medical Malpractice (45)  
Medical Malpractice—Physicians & Surgeons  
Other Professional Health Care Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice (*not medical or legal*)  
Other Non-PI/PD/WD Tort (35)

**Employment**

Wrongful Termination (36)  
Other Employment (15)

**Contract**

Breach of Contract/Warranty (06)  
Breach of Rental/Lease  
Contract (*not unlawful detainer or wrongful eviction*)  
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book accounts) (09)  
Collection Case—Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage (*not provisionally complex*) (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

**Real Property**

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

**Unlawful Detainer**

Commercial (31)  
Residential (32)  
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

**Judicial Review**

Asset Forfeiture (05)  
Petition Re: Arbitration Award (11)  
Writ of Mandate (02)  
Writ—Administrative Mandamus  
Writ—Mandamus on Limited Court Case Matter  
Writ—Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal—Labor Commissioner Appeals

**Provisional Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)**

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

**Enforcement of Judgment**

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment (*non-domestic relations*)  
Sister State Judgment  
Administrative Agency Award (*not unpaid taxes*)  
Petition/Certification of Entry of Judgment on Unpaid Taxes  
Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

RICO (27)  
Other Complaint (*not specified above*) (42)  
Declaratory Relief Only  
Injunctive Relief Only (*non-harassment*)  
Mechanics Lien  
Other Commercial Complaint Case (*non-tort/non-complex*)  
Other Civil Complaint (*non-tort/non-complex*)

**Miscellaneous Civil Petition**

Partnership and Corporate Governance (21)  
Other Petition (*not specified above*) (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief From Late Claim  
Other Civil Petition

**SUPERIOR COURT OF  
CALIFORNIA  
COUNTY OF ALAMEDA**

**FILED BY FAX**  
ALAMEDA COUNTY

September 19, 2019

CLERK OF  
THE SUPERIOR COURT  
By Shabra Iyamu, Deputy

CASE NUMBER:  
**RG19035936**

J.B., an individual, )  
 )  
 Plaintiff, )

v. )

G6 HOSPITALITY, LLC; )  
 )  
 Serve its Registered Agent: )  
 )  
 Corporation Service Company )  
 )  
 50 West Broad Street, Suite 1330 )  
 )  
 Columbus, Ohio 43215 )

RED LION HOTELS CORPORATION; )  
 )  
 Serve its Registered Agent: )  
 )  
 Corporate Creations California, Inc. )  
 )  
 11380 Prosperity Farms Road, Suite 221E )  
 )  
 Palm Beach Gardens, Florida 33410 )

KANTILAL KATRI AND )  
 )  
 RAJESHKUMAR KATRI D/B/A )  
 )  
 ECONOMY INN; )  
 )  
 18005 Walnut Road )  
 )  
 Castro Valley, California 94546 )

MITCHELL HOTEL, INC. )  
 )  
 D/B/A MITCHELL HOTEL; )  
 )  
 Serve its Registered Agent: )  
 )  
 Robert M. Porter )  
 )  
 171 12<sup>th</sup> Street, Suite 202 )  
 )  
 Oakland, California 94607 )

Case No. \_\_\_\_\_

- Plaintiff's Original Complaint for  
Damages (with Jury Demand)
1. Sex Trafficking 18 U.S.C. §1591(a) under 18 U.S.C. §1595;
  2. Sex Trafficking (Cal. Pen. Code §236.1 under Cal. Civ. Code § 52.5);
  3. Negligence;
  4. Negligence per se; and
  5. Civil Conspiracy



)  
 )  
 CRAGISTLIST, INC. )  
 )  
 Serve its Registered Agent: )  
 )  
 Jason A. Yurasek )  
 )  
 235 Montgomery Street, Suite 1158 )  
 )  
 San Francisco, California 94104 )

KAIROS UNLIMITED COUNSELING  
 SERVICES;  
 Jamie R. Barcelona and Remedios R.  
 Barcelona  
 5631 Buena Vista Avenue  
 Oakland, California 94618

Defendants.

**COMPLAINT**

COMES NOW the Plaintiff J.B., 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 and motels throughout this country. Criminals parade their misconduct openly on hotel properties throughout the United States while hotels, motels, and the hospitality industry remain willfully blind to the criminal misconduct to continue financially benefitted at the expense of human life, human rights, and human dignity.

2. G6 Hospitality, LLC (hereinafter "G6") and Red Lion Hotels Corporation (hereinafter

“RLHC”<sup>1</sup> know and have known for more than a decade that sex trafficking repeatedly occurs under their flag throughout the country. Rather than taking timely and effective measures to thwart this epidemic, Defendant Motels have instead chosen to ignore the open and obvious presence of sex trafficking on their properties, enjoying the profit from rooms rented for this explicit and apparent purpose.

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

4. J.B. was 15 years old when she was first trafficked for commercial sex in Northern California and was preyed upon by traffickers, rapists, kidnappers, and buyers of commercial sex who bought, sold, and required her to sexually service them as she endured brutal physical assaults, psychological torment, verbal abuse, and false imprisonment at the Defendants’ motels for years as the Defendants did nothing but profit. Traffickers, rapists, kidnappers, and purchasers of commercial sex caused, induced and persuaded, or attempted to cause, induce or persuade minor J.B. to sell her body for sex and sexual services in exchanged for shelter and money. As a direct result of these actions, J.B. endured years of repeated physical assaults, psychological torment, verbal abuse and false imprisonment at the Defendants’ motels for years. At which and during said time, Defendants benefitted financially at the expense of J.B.’s physical, emotional, and psychological health.

5. Defendant Craigslist classified advertising website, Craigslist.com advertised J.B. for sale from 2007 through 2010. Craigslist advertised the minor Plaintiff in the Craigslist designated

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<sup>1</sup> Collectively, G6 doing business as Motel 6; RLHC doing business as America’s Best Value Inn; Budget Inn; Economy Inn; Bay Breeze Inn; The Mitchell; The Sage; The Holiday; and Mills Motel may be referred to as “Defendant Motels.”

categories of “erotic services” and “adult services”. The Craigslist advertisements were obvious advertisements for commercial sex with the minor plaintiff. Plaintiff was featured on Craigslist commercial sex advertisements numerous times throughout this time frame.

6. J.B. was advertised on the website Craigslist.com against her will, physically tortured, and then sexually exploited under such duress at hotels and motels in California, including the G6 (dba as Motel 6), The Budget Inn, RLHC (owner operators dba Economy Inn and now operating as America’s Best Value Inn), Bay Breeze Inn, The Mitchell, The Sage, Holiday Motel, and Mills Motel.

7. As a direct and proximate result of G6 and RLHC’s consistent and repeated refusals to prevent human trafficking and blatant crimes against children on their hotel properties, J.B. was sex trafficked, sexually exploited, and victimized repeatedly victimized both physically and emotionally, while Defendants benefitted financially to advertise and provide space for the abuses.

8. The Plaintiff brings this action pursuant to the California Trafficking Victims Protection Act (CTVPA) and CAL CIV CODE §52.5, against the Defendants who acted with malice, oppression, fraud, and duress in committing the act of human trafficking, as defined by CAL PEN CODE §236.1. Furthermore, Defendants enabled, harbored, held, facilitated, and/or otherwise financially benefited, or any combination of the foregoing, from a child sex trafficking venture in which J.B. was trafficked as a minor for sex, sexually exploited, and victimized in violation of the CTVPA.

### **PARTIES AND FACTS**

9. The Plaintiff, having moved to proceed anonymously,<sup>2</sup> and, herein, identified by her

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<sup>2</sup> Contemporaneously with the Complaint, Plaintiff J.B. filed a Motion for Protective Order and Leave to Proceed Anonymously

initials J.B., was 15 years old when she was first advertised and sold for sex throughout Northern California for the purposes of commercial sex acts with adult purchasers. 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) on or between 2007 and 2009. The Plaintiff currently resides in Oakland, California.

10. Defendant G6 Hospitality, LLC (“G6”) is one of the largest motel brands in the world. It is a Delaware limited liability company with its headquarters in Carrollton, Texas. G6 may be served with service of process by serving its registered agent Corporation Service Company, 50 West Broad Street, Suite 1330, Columbus, Ohio 43215.

- a. Motel 6 Embarcadero in Oakland, California (“Motel 6®”) is a G6 brand property.
- b. The Motel 6 brand operates in forty-nine (49) states. The brand’s assets are strategically located throughout the United States – close to airports, freeways, and other thoroughfares. In 2015, G6 was rated among the top ten (10) hospitality companies.
- c. As a hotel operator, Defendant G6 controls the training and policies for its branded properties including the Motel 6® hotel where J.B. was trafficked. Defendant G6 represents that it considers guest safety and security important and requires the motels in its portfolio to comply with G6 brand standards and all local, state, and federal laws.
- d. Through its relationship with the Motel 6® staff located at 1801 Embarcadero, Oakland, CA 94606, the location where J.B.’s trafficker was registered and

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with Memorandum in Support based upon the nature of the allegations in the instant Complaint, which are of an inherently intimate and personal nature. That motion is pending. Undersigned Counsel will provide her identity to counsel for the Defendants upon proper effectuation of service.

where J.B. was trafficked, 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 child sex trafficking. A violation of Penal Code Section 236.1.

- e. G6 received a percentage of the gross room revenue from the money generated by the operations of Motel 6® motels, including a percentage of the revenue generated for the rate charged for the rented guest rooms in which the minor Plaintiff J.B. was sex trafficked as a child.
- f. G6 owns, supervises, and/or operates and maintains control of the Motel 6® located at 1801 Embarcadero Oakland, California 94606.

11. Defendant Red Lion Hotels Corporation (“RLHC”) is a large hotel brand. It is a Washington corporation and can be served by its registered agent, Corporate Creations California, Inc., 11380 Prosperity Farms Road, Suite 221E Palm Beach Gardens, Florida 33410.

- a. Defendant Red Lion Hotels Corporation (“RLHC”) is the successor entity to Vantage Hospitality Group, Inc. (“VHG”). RLHC acquired VHG and its brands (Vantage Hotels, America’s Best Value Inn, Canada’s Best Value Inn, Lexington by Vantage, America’s Best Inns and Suites, Country Hearth Inns, Jameson Inns, Signature Inn and 3 Palms Hotels & Resorts) in September 2016. The acquisition closed on October 22, 2016. Defendant RLHC retains successor liability for wrongful acts of its predecessor VHG. America’s Best Value Inn® is a RLHC brand property.
- b. Defendant RLHC and the America’s Best Value Inn® are a single and joint

employer with a high degree of interrelated, intermingled, and unified operations at the America's Best Value Inn® hotel where the Plaintiff was trafficked for sex. Defendant RLHC and the America's Best Value Inn® each share the common policies and practices complained of herein.

- c. Defendant RLHC and the America's Best Value Inn® jointly employ or ratify the employment of individuals through horizontal joint employment and or vertical joint employment.
- d. As an integrated enterprise and or joint employer, Defendant RLHC and the America's Best Value Inn® are separately and jointly responsible for compliance with all applicable laws.
- e. As an integrated enterprise and or joint employer, Defendant RLHC and the America's Best Value Inn® are jointly and severally liable for any damages caused by employees.
- f. As hotel operator, Defendant RLHC controls the training and policies for its branded properties including the America's Best Value Inn® hotel where J.B. was trafficked.
- g. Defendant RLHC maintains that it considers guest safety and security to be important and requires the motels in its portfolio to comply with RLHC brand standards and all local, state, and federal laws.
- h. Through its relationship with the America's Best Value Inn® hotel where J.B. was trafficked and the perpetrator who trafficked J.B. at the America's Best Value Inn® hotel while registered as a guest there. Defendant RLHC 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. RLHC receives a percentage of the gross room revenue from the money generated by the operations of America's Best Value Inn® motels, including a percentage of the revenue generated for the rate charged on the hotel guest rooms in which the Plaintiff was sex trafficked.
- j. RLHC owns, supervises, and/or operates, and maintains control of the America's Best Value Inn® located at 122 E 12th Street Oakland, California 94606.

12. Defendant Sarkar, LLC ("Sarkar"), doing business as the former Budget Inn (now Piedmont Inn), was a California limited liability company during the dates alleged in this complaint. Defendant Sarkar maintained control and oversight of the staffing and operation of the Budget Inn located at 55 MacArthur Boulevard Oakland, California 94610, where the Plaintiff was trafficked for sex. Through its relationship with the perpetrator who trafficked J.B. at the Budget Inn, Defendant Sarkar knowingly benefited or received something of value from their facilitation of or participation in a venture which they knew or should have known had engaged in sex trafficking. Defendant Sarkar may be served with service of process by serving its registered agent, Jayantilal K. Patel, at 6149 View Crest Drive Castro Valley, California.

13. Defendants Kantilal Khatri and Rajeshkumar Khatri owned the Economy Inn as a sole proprietor operation. Defendants Khatri were involved in the staffing and operation of the Economy Inn located at 122 E 12th Street Oakland, California 94606, where the Plaintiff was trafficked for sex. Through its relationship with the perpetrator who trafficked J.B. at the Economy Inn, Defendants Khatri knowingly benefited or received something of value from their facilitation of or participation in a venture which they knew or should have known had engaged in sex trafficking. Defendants Khatri may be served with service of process at 18005

Walnut Road Castro Valley, California 94546.

14. Defendant Mitchell Hotel, Inc., doing business as Mitchell Hotel, is a California corporation. Defendant Mitchell Hotel, Inc. was involved in the staffing and operation of the Mitchell Hotel located at 2321 International Boulevard Oakland, California 94601, where the Plaintiff was trafficked for sex. Through its relationship with the perpetrator who trafficked J.B. at the Mitchell Hotel, Defendant Mitchell Hotel, Inc. 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. Defendant Mitchell Hotel, Inc. may be served with service of process by serving its registered agent, Robert M. Porter, 171-12th Street, Suite 202 Oakland, California 94607.

15. Defendant SRK Motel, Inc. ("SRK") is a California corporation. Defendant SRK is involved in the staffing and operation of the Bay Breeze Inn located at 4919 Coliseum Way Oakland, California 94601, where the Plaintiff was trafficked for sex. Through its relationship with the perpetrator who trafficked J.B. at the Bay Breeze Inn, Defendant SRK 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. Defendant SRK may be served with service of process by serving its registered agent, Harshad Panchal, 311 El Camino Real Arroyo Grande, California 93420.

16. Defendant Kalpesh K. Balsar owned Sage Motel as a sole proprietor operation. Defendant Balsar was involved in the staffing and operation of Sage Motel located at 4844 MacArthur Boulevard Oakland, California 94619, where the Plaintiff was trafficked for sex. Through its relationship with the perpetrator who trafficked J.B. at the Sage Motel, Defendant Balsar 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.

Defendant Balsar may be served with service of process at 4844 MacArthur Boulevard Oakland, California 94629.

17. Upon information and belief, Defendants Urmila Patel, Pushpa P. Patel, Gangaben A. Patel, Narendra T. Patel, Ambalal P. Patel, and the Gangaben A. Patel 2000 Trust (“Patel Defendants”) owned Holiday Motel as sole proprietor operations during the relevant time period (2006-2012).<sup>3</sup> The Patel Defendants were involved in the staffing and operation of the Holiday Motel located at 4474 MacArthur Boulevard Oakland, California 94619, where the Plaintiff was trafficked for sex. Through their relationship with the perpetrator who trafficked J.B. at the Holiday Motel, Patel Defendants 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. Patel Defendants may be served with service of process by serving

18. Defendant East Bay Lodging, LLC (“East Bay”) doing business as Mills Motel, is a California limited liability company. Defendant East Bay was involved in the staffing and operation of the Mills Motel located at 4550 MacArthur Boulevard Oakland, California 94619, where the Plaintiff was trafficked for sex. Through its relationship with the perpetrator who trafficked J.B. at the Mills Motel, Defendant East Bay 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. Defendant East Bay may be served with service of process by serving its registered agent, Girish Solanki, 4701 Ewing Road Castro Valley, California 94619.

19. Defendant Paul Zwimpfer, Linda R. Castaldo, Jaime R. Barcelona, and Remedios

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<sup>3</sup> In 2009, there was a web of parcel ownership transfers between Patel family members and the Patel Trust.

R. Barcelona owned Kairos Unlimited Counseling Services as sole proprietor ownership operations during the relevant time period (2006-2012). Defendants Zwimpfer, Castaldo, J. Barcelon, and R. Barcelona were involved in the staffing and operation of the Kairos group home located at 560 Oakland Avenue Oakland, California 94611, where the Plaintiff was trafficked for sex. Defendants Zwimpfer, Casaldo, J. Barcelona, and R. Barcelona breached their duty of care owed to J.B., causing actual and proximate physical and mental harm to the Plaintiff.

20. Defendant Craigslist, Inc., Defendant Craig Newmark, and Defendant Jim Buckmaster, (hereinafter referred to as “Defendant Craigslist”), allowed sex traffickers to post commercial sex advertisements of the Plaintiff as a minor, including scantily clad and partially nude photographs of minor Plaintiff, in the “erotic services” and later “adult services” sections of their website, Craigslist.org (hereinafter referred to as “Craigslist”). The advertisements were readily ascertainable as prostitution or sex trafficking advertisements.

- a. Defendant Craigslist, Inc. is a Delaware corporation that owns, operates, designs and controls Craigslist. At all times hereto, Defendant transacted business in Oakland, California, and purposefully availed itself to Oakland, California, and the citizens of Oakland, California, through Craigslist.
- b. On information and belief, Defendant Craig Newmark was the founder and chairman of Craigslist and is a resident of San Francisco, California. At all times hereto, Defendant transacted business in Oakland, California, and purposefully availed itself to Oakland, California, and the citizens of Oakland, California, through Craigslist.
- c. On information and belief, Defendant Jim Buckmaster was the CEO of Craigslist and is a resident of San Francisco, California. At all times hereto, Defendant

- transacted business in Oakland, California, and purposefully availed itself to Oakland, California, and the citizens of Oakland, California, through Craigslist.
- d. Upon information and belief, Defendant Craigslist knew that its erotic services section was well known to commercial sex customers throughout the United States as a place to easily locate victims for as commodities, unpunished, anonymous, sexual abuse of children. Using the guidelines mentioned above, Defendant Craigslist developed the user interface so that customers could quickly and easily find the trafficking victims they desired. It first presented a user with a choice of geographic areas, and then after choosing an area, a customer would see a scroll down list of commercial sex advertisements. Upon clicking on an advertisement, Craigslist had arranged its website so that a specified number of photographs appeared per page along with contact information and a general description of the trafficking victim's location. Defendant Craigslist facilitated customers' access to trafficking victims in their desired geographic area, and it made it easy for sex traffickers to promote their adult victims and minor children across the nation.
- e. A six year study, done by Arizona State University, analyzing sex trafficking of minors has found that minor sex trafficking had increased during the period of the study. Minor sex trafficking generates an estimated 42 billion dollars a year in the United States through the trafficking of over 200,000 children. 70% of these minors that are sex trafficked are done so online. Defendant Craigslist was a major progenitor of this crisis, and Defendant Craigslist profited directly and indirectly from the facilitation of child sex trafficking. Pedophiles and those seeking victims for sex trafficking would visit Craigslist in the thousands every

day to view advertisements promoting commercial sex with adults and minor children. While Defendant Craigslist maintained the erotic services section, the Polaris Project, a group against human sexual trafficking, believed that Craigslist was the single largest source for illicit commercial sex. Defendant Craigslist enabled this behavior and gave both sex traffickers and their customers the means to evade law enforcement. Through this facilitation, Craigslist gained a substantial user base making it the ninth most visited website in the country in 2009. The increase in user base generated traffic to the other paid services of Craigslist and provided a direct benefit to Defendant Craigslist.

- f. Upon information and belief, Defendant Craigslist was well aware that many of the advertisements in “erotic services” and “adult services” sections were advertisements for sex with children. For example, Craigslist provided cover for advertisements of minors by requiring sex traffickers to click on the “posting rules” page which has a line asserting “I am at least 18 years of age or older and not considered to be a minor in my state of residence.” Craigslist did nothing to verify the actual age of the person being advertised. Craigslist took no meaningful initiative to verify the actual identity of the posters, such as requiring the IP addresses and personal information of the owner and operator of the device used to post the advertisements on. Defendant Craigslist’s lack of effort was an attempt to evade the criminal penalties of promoting underage sex trafficking and secure Defendant’s profit margins from the increased web traffic that erotic services garnered.
- g. The aforementioned advertisements would appear in a section of the Craigslist classified advertising site which Defendant Craigslist had designated and titled

as “erotic services”. The term “erotic services” was wording created and selected by Defendant Craigslist to define every advertisement contained in that section. Sex traffickers and commercial sex purchasers all knew that Craigslist was a site which allowed commercial sex advertisements to be displayed and allowed sex purchasers to connect with prostitutes and victims of sex trafficking including minors.

- h. The Craigslist site facilitated and assisted commercial sex buyers to contact and communicate with sellers of commercial sex including traffickers through the use of an email seller to remain anonymous and hidden while communicating through the Craigslist communication system.
- i. The aforementioned Craigslist communication system combined with the enormous reach and popularity of their website, allowed sex traffickers to market sex trafficking victims, including minors and the minor plaintiff, and connected illegal sex sellers in an anonymous fashion. Because Defendant Craigslist controlled the communication system, the location and identities of victims and purchasers were hidden from law enforcement, and other agencies who provided for the care of minors being bought and sold on Craigslist.
- j. By 2009 Defendant Craigslist were well aware that their website was hosting thousands and thousands of sex-trafficking and illegal prostitution advertisements, throughout the United States including sex advertisements of minor children. Craigslist was the target of a vocal and well publicized effort to change their conduct and stop allowing illegal sex trafficking from occurring on their website. Defendant Craigslist were well aware that their site hosted, facilitated, and aided and abetted criminal sex traffickers and others to engage in

criminal acts of sex trafficking including the sex trafficking of minors.

- k. Defendant Craigslist also benefited from the fees received from sex traffickers who would pay Craigslist to advertise the victims on the Craigslist website.
- l. Defendant Craigslist was on notice of the human sex trafficking, including that of children taking place on their website service from numerous sources, including but not limited to; lawsuits, government action, public outcry, news media, victims, activities and employee observation.
- m. Despite Defendant Craigslist's knowledge that its erotic services section was a forum for facilitating adult and child sex trafficking, they allowed such advertisements on their website for over 10 years. After growing pressure from the public and law enforcement, they created nominal, ineffective requirements that became instructions to sex traffickers on evading law enforcement. Defendant Craigslist developed these content requirements to maintain their benefit from their participation in illicit commercial sex. In May of 2009, Defendant Craigslist chose to re-label the erotic services to "adult services" but the forum functioned exactly the same. They later terminated the "adult services" section, but the commercial sex advertisements still flourished in the Craigslist personal ads and massage services sections. Finally, after 20 years of being a platform for sex trafficking, Defendant Craigslist decided to shut down their personal ads section in 2018, after the Fight Online Sex Trafficking Act (FOSTA) became federal law.
- n. During the 20 years Defendant Craigslist maintained their erotic services, adult services, and personal ads, Defendant Craigslist benefited from the continued sale and trafficking of children for sex, and only chose to end their participation

once their liability for criminal and civil punishment became certain.

o. Conspiracy

- i. In November 2007, a commercial sex trafficking operation facilitated by Craigslist<sup>4</sup> at a Motel 6 in San Luis Obispo, California.<sup>5</sup>
- ii. In approximately August 2007, sex traffickers set up an operation at a Motel 6 in Bakersfield, California to sell sex through Craigslist advertisements.<sup>6</sup>

21. 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**

22. The Superior Court of California, County of Alameda, has jurisdiction in this court pursuant to California Code of Civil Procedure §395(a) because multiple Defendants reside in the County of Alameda.

23. Venue is proper in this Honorable Court pursuant to California Code of Civil Procedure §395(a) because a substantial part of events or omissions giving rise to the claims, including the Defendants' misconduct and omissions, occurred in the County of Alameda. The

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<sup>4</sup> *Craigslist confidential: A recent sting puts the spotlight on an Internet red light district.* By Kai Beech (Dec. 19, 2007), <https://www.newtimeslo.com/sanluisobispo/craigslist-confidential/Content?oid=2948404>.

<sup>5</sup> Prostitution bust in SLO sends 5 to jail by Ryan Chartrand (November 27, 2007), <https://mustangnews.net/prostitutionbustinslosendstojail/>.

<sup>6</sup> Three arrested in connection with Internet prostitution by The Bakersfield Californian (Aug 13, 2007), [https://www.bakersfield.com/news/three-arrested-in-connection-with-internet-prostitution/article\\_1b0f0767-f5b7-5e8d-bba8-8e8a3f033455.html](https://www.bakersfield.com/news/three-arrested-in-connection-with-internet-prostitution/article_1b0f0767-f5b7-5e8d-bba8-8e8a3f033455.html).

personal injuries of minor Plaintiff J.B. occurred at multiple Defendant motels in the County of Alameda, where Defendant Craigslist was doing business through display of minor Plaintiff J.B. on their county specific classified advertising website. Numerous adult commercial sex purchasers responded to Craigslist's "Alameda County" advertisements of the minor Plaintiff J.B. and raped and otherwise sexually abused the minor J.B. in multiple Defendants' motels in the jurisdiction.

### **SEX TRAFFICKING UNDER FEDERAL LAW**

24. 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.

25. 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.

26. 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.

27. Pursuant to 18 U.S.C. §1591(a), all who knowingly provide *or* obtain commercial sex that was provided or obtained through force, fraud, and coercion are guilty of sex trafficking. This includes, at a minimum, ***both*** the ‘traffickers’ who recruit, harbor, transport, and provide individuals for forced commercial sex work ***and*** the ‘Johns’ or ‘buyers’ who obtain, solicit, or patronize forced commercial sex work.<sup>7</sup>

### **SEX TRAFFICKING UNDER STATE LAW**

28. In California Penal Code §236.1 (g), The Legislature found that the definition of human trafficking in §236.1 is equivalent to the federal definition of severe forms of human trafficking found in Section 7102(9) of Title 22 of the United States Code. All forms of human trafficking in California are severe, preventing the distinction or illusion of a “non-severe” form of this atrocious and violent crime that enslaves a human being for the benefit of another.

29. Pursuant to California Penal Code §236.1(c) A person who causes, induces, or persuades, or attempts to cause, induce, or persuade, a person who is a minor at the time of commission of the offense to engage in a commercial sex act, with the intent to effect or maintain a violation of Section 266, 266h, 266i, 266j, 267, 311.1, 311.2, 311.3, 311.4, 311.5, 311.6, or 518 is guilty of human trafficking.

30. Consistent with the Federal Sex Trafficking The Legislature’s definition of human trafficking includes, the purchasers and buyers.

### **FACTUAL ALLEGATIONS**

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

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<sup>7</sup> While the ‘pimps’ or ‘providers’ are often referred to as the ‘traffickers’ and the purchasers are referenced as the ‘Johns’, ‘tricks’, or ‘buyers’ [and such nomenclature is used herein], under federal law ***both*** categories are ‘traffickers’.

*“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 Project<sup>8</sup>*

31. Human trafficking is the world's fastest growing crime.<sup>9</sup> 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.<sup>10</sup>

32. 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.

33. The hospitality industry plays a crucial role in the sex trade.<sup>11</sup> 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.

34. According to National Human Trafficking Hotline statistics, hotels are the top-reported venue, even over commercial front brothels, where sex trafficking acts occur.<sup>12</sup> Traffickers and buyers alike frequently use hotel rooms to exploit victims.

35. Traffickers use hotels as the hub of their operations. Inside, the victims are harbored,

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<sup>8</sup>*Recommendations for Hotels and Motels*, THE POLARIS PROJECT, <https://polarisproject.org/hotels-motels-recommendations> (last visited June 19, 2019).

<sup>9</sup> *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>.

<sup>10</sup> *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](http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_243391/lang--en/index.htm).

<sup>11</sup> 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>.

<sup>12</sup> *National Human Trafficking Hotline Statistics*, THE POLARIS PROJECT (2016), <https://polarisproject.org/resources/2016-hotline-statistics>.

raped, assaulted, and forced to service buyers who come to the hotel solely to purchase sex. This is referred to as an 'in call'.

36. 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) 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.<sup>13</sup>

37. 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.<sup>14</sup>

38. Due to the overall complacency of the hospitality industry on addressing the issue, hotels are *the* venue of choice for sex trafficking.<sup>15</sup> Traffickers and buyers capitalize on the hotel industry's general refusal to adopt and enforce companywide 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.

39. 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.

40. 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

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<sup>13</sup> 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>.

<sup>14</sup> Michele Sarkisian, *Adopting the Code: Human Trafficking and the Hospitality Industry*, CORNELL HOSPITALITY REPORT, 15(15), 3-10 (2015).

<sup>15</sup> *Hotels Initiative*, THE POLARIS PROJECT, <https://polarisproject.org/initiatives/hotels> (last visited June 19, 2019).

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.”<sup>16</sup>

41. 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.<sup>17</sup>

42. 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.

43. 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

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<sup>16</sup> 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>.

<sup>17</sup> 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>.

or no luggage, hotel guests who prevent another individual from speaking for themselves, or a guest controlling another's identification documents.<sup>18</sup>

44. 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.<sup>19</sup> Thus, hospitality companies are obligated to adopt policies and procedures related to sex trafficking and to enforce these policies and procedures as brand standard through to the property level.

45. Hospitality companies can and should mandate that *all* staff working at *all* hotel properties across their brand complete sex trafficking training.<sup>20</sup>

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

47. At the General Assembly of the United Nations ("UN") convened in New York, New York in November 2000, the Palermo Protocol to prevent, suppress, and punish trafficking in persons was adopted.<sup>21</sup>

48. In this regard, End Child Prostitution and Trafficking ("ECPAT-USA") launched the Tourism Child-Protection Code of Conduct (the "Code") in the United States in 2004.<sup>22</sup>

49. The Code identifies the following six (6) steps companies can take to prevent child sex

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<sup>18</sup> *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](https://cseinstitute.org/wp-content/uploads/2015/06/Hotel_Policy_Paper-1.pdf).

<sup>19</sup> 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/honorsthesis/3>.

<sup>20</sup> 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](https://cseinstitute.org/wp-content/uploads/2015/06/Hotel_Policy_Paper-1.pdf).

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

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

trafficking; (1) establish corporate policy and procedures against sexual exploitation of children; (2) train employees in children's rights, the prevention of sexual exploitation and how to report suspected cases; (3) include a clause in further partner contracts stating a common repudiation and zero tolerance policy of sexual exploitation of children; (4) provide information to travelers on children's rights, the prevention of sexual exploitation of children and how to report suspected cases; (5) support, collaborate and engage stakeholders in the prevention of sexual exploitation of children; and (6) report annually on the company's implementation of Code-related activities.

50. During a speech in New York City in September 2012, President Obama stated that human trafficking "ought to concern every person, because it is a debasement of our common humanity. It out to concern every community, because it tears at our social fabric. It ought to concern every business, because it distorts markets. It ought to concern every nation, because it endangers public health and fuels violence and organized crime."<sup>23</sup>

51. Statistics released in 2014 by the International Labor Organization ("ILO") showed that approximately 4.5 million people were victims of forced sexual exploitation globally and that the violation of their human rights yielded an estimated annual profit of \$99 billion dollars for sex traffickers worldwide.<sup>24</sup> Put another way, the numbers showed that a sex trafficker's annual profit per victim was approximately \$22,000.00.<sup>25</sup>

52. A scholarly article published in 2015 estimated that pimps could earn \$25,000.00 to \$33,000.00 per week selling in the Atlanta, Georgia area.<sup>26</sup> This volume of and profit from sex

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<sup>23</sup> President Barack Obama, Remarks to the Clinton Global Initiative (Sept. 25, 2012), *available at*

<https://obamawhitehouse.archives.gov/the-press-office/2012/09/25/remarks-president-clinton-global-initiative>.

<sup>24</sup> International Labour Office, *Profits and Poverty: The Economics of Forced Labour* (2014), at 13, *available at* [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_243391.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_243391.pdf).

<sup>25</sup> *Id.* at 15.

<sup>26</sup> Sarkisian, *supra* n.20, at 4.

trafficking also aligned with internet advertising for the sex trafficking industry occurring in roughly the same time period. For example, in 2015, one advertisement in the Atlanta section of the [www.backpage.com](http://www.backpage.com) website triggered 181 clients, and calls or texts from twenty-seven (27) men expressing interest – in a span of just ninety (90) minutes.<sup>27</sup>

53. In December 2015, President Obama appointed eleven (11) survivors of human trafficking to the inaugural United States Advisory Council on Human Trafficking to advise and make recommendations on federal anti-trafficking policies to the President’s Interagency Task Force to Monitor and Combat Trafficking in Persons.<sup>28</sup>

54. The United States Department of Justice (“DOJ”) brought 248 sex trafficking prosecutions in Fiscal Year 2015 and secured convictions against 291 sex traffickers.<sup>29</sup> In the previous year, DOJ convicted a total of 184 human traffickers (inclusive of labor trafficking) and in the subsequent year, DOJ convicted a total of 439 human traffickers (inclusive of labor trafficking).<sup>30</sup>

55. Despite these efforts of governmental and non-governmental organizations to combat human trafficking, the hospitality industry as a whole, continued to lag behind in its efforts to prevent human trafficking. A 2015 study showed that forty-five percent (45%) of children who suffered sexual exploitation report that the sexual exploitation took place in a hotel.<sup>31</sup>

56. Even estimates by attorneys *for the* hospitality industry indicate that eight (8) out of ten (10) arrests for human trafficking occur in or around hotels.<sup>32</sup> The 2016 Trafficking in Persons

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<sup>27</sup> *Id.* at 5.

<sup>28</sup> U.S. Dep’t of State, *2016 Trafficking in Persons Report* (2016), at 41, available at <https://www.state.gov/documents/organization/258876.pdf>.

<sup>29</sup> *Id.* at 389.

<sup>30</sup> Human Rights First, *Fact Sheet 2017* (2017), available at <http://www.humanrightsfirst.org/sites/default/files/TraffickingbytheNumbers.pdf>.

<sup>31</sup> Sarkisian, *supra* n.20.

<sup>32</sup> Rich Keating, *Human Trafficking: What It Is And How It Impacts The Hospitality Industry*, Presentation

Report issued by the United States Department of State also confirmed that human trafficking occurs in the hospitality industry in the United States.<sup>33</sup>

57. Between 2007 and March 2015, more than 1,400 human trafficking cases have been reported to the National Trafficking Resource Center.<sup>34</sup>

58. The complicity of the hospitality industry is essential to the perpetuation of human trafficking, allowing traffickers to remain transient, collect profits, and evade detection. Sex trafficking ventures move from place to place so that they are less visible to law enforcement. Similarly, sex traffickers also want to keep their victims moving from place to place to isolate them from any possible means of escape or rescue. Traffickers are well aware of the seclusion and anonymity attendant with booking rooms with hotel chains – they know it is unlikely that they will be disturbed.

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

60. Further, nationwide campaigns recognized the issue of human trafficking in the hotel industry and the lack of internal policies to address the issue, and took initiative as early as 1997 with the United Nations Blue Heart Campaign and domestically in 2010 with the Department of Homeland Security's Blue Campaign.<sup>38</sup> These efforts sought to educate both the public and private sectors on identifying and combatting human trafficking, including the

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Delivered At AHIA Sprint Conference 2013, Washington, D.C., *available at* [http://www.ahiattorneys.org/aws/AHIA/asset\\_manager/get\\_file/92983](http://www.ahiattorneys.org/aws/AHIA/asset_manager/get_file/92983) (last visited Mar. 1, 2019).

<sup>33</sup> U.S. Dep't of State, *supra* n.25, at 387.

<sup>34</sup> Polaris, *Human Trafficking and the Hotel Industry* (2015), *available at* <https://polarisproject.org/resources/human-trafficking-and-hotel-industry>.

<sup>38</sup> *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>.

hospitality industry and both campaigns released online resources and toolkits publicly accessible to any entity concerned with human trafficking.<sup>39</sup>

61. Hospitality companies have both the power and responsibility to make sex trafficking difficult for the offenders. Yet, they either repeatedly fail to heed the call or repeatedly failed to execute their own policies. Instead, each continues to facilitate these crimes at their hotels, content to direct their efforts solely to profit and the bottom line.

#### **B. THE DEFENDANTS CONTROL THE HOSPITALITY INDUSTRY**

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

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

64. In addition to brand recognition, a marketing organization, hotel listings in the Global Distribution System (GDS) and other online travel agency databases, the brand provides the franchise hotel with access to its brand wide central reservation system, 800 number, revenue management tools, world-class loyalty programs and a website. Thus, booking and room

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<sup>39</sup> *Human Trafficking and the Hospitality Industry*, DEPARTMENT OF HOMELAND SECURITY, <https://www.dhs.gov/blue-campaign/hospitalityindustry> (last visited June 19, 2019).

reservations are controlled by the corporate parent brand.<sup>40</sup>

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

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

67. At the time of the incidents alleged herein:

- a. Defendant G6 owned and controlled the Motel 6® brand.
- b. Defendant Red Lion Hotels Corporation owned and controlled the America's Best Value Inn® brand.

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

### **C. THE DEFENDANTS' WILLFUL BLINDNESS TO SEX TRAFFICKING AT THEIR MOTELS**

69. Defendants G6 and RLHC ("Defendant Motels") have been on notice of repeated incidences of sex trafficking occurring at their Motel 6 and America's Best Value Inn locations 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 motels.

70. G6 HOSPITALITY, LLC ("G6")

- a. Defendant G6 owns, supervises, or operates the Motel 6® located at 1801

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<sup>40</sup> Ellen Meyer, *The Origins and Growth of Franchising in the Hotel Industry*, LODGING MAGAZINE (April 10, 2018) <https://lodgingmagazine.com/the-origins-and-growth-of-franchising-in-the-hotel-industry/>.

Embarcadero Oakland, California 94606.

- b. For years Defendant G6 has been on notice of repeated incidences of sex trafficking on its Motel 6 branded properties, yet Defendant G6 has failed to take action to prevent sex trafficking on its properties. Defendant G6's inattention in this regard enabled and contributed to the sex trafficking the Plaintiff suffered at the Motel 6 Oakland – Embarcadero.
- c. More than half the bookings at Motel 6 properties occur on the same day as arrival. Accordingly, Motel 6 brand executives have worked to make booking hotel rooms at their properties even easier. As one executive of the Motel 6 brand has stated, “Analytics is our North Star. It’s how we make decisions, it’s how we drive our strategy and it’s how we dictate performance.” As alleged herein, the Motel 6 brand has been more than willing to use data analytics to increase its profits, but historically has refused to use data analytics, or take any reasonable measures, to prevent human trafficking on Motel 6 properties.<sup>41</sup>
- d. The Motel 6 brand advertises that customers “Save more for what you travel for®” and for its customers traveling for the purpose of sex trafficking adults and children, these customers are able to save more and thus profit more for what they are traveling for – selling human beings for sex.
- e. Knowing these risks associated with its policies and practices and its marketing strategies in relation to the Motel 6 brand, Defendant G6 nevertheless maintains a “consistent, unwavering commitment to this brand positioning[.]”<sup>42</sup>

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<sup>41</sup> Allison Schiff, *Motel 6: 'Analytics Is Our North Star'*, AdExchanger (Sept. 7, 2017), <https://adexchanger.com/analytics/motel-6-analytics-north-star/amp/>.

<sup>42</sup> G6 Hospitality LLC, *Motel 6 - An Iconic American Brand*, <http://www.g6hospitality.com/about/brands> (last visited Mar. 1, 2019).

- f. G6 failed to implement and enforce any of its own policy or policies and protect Plaintiff J.B. from being sex trafficked.
- i. G6 knew or should have known that the Motel 6® hotel where Plaintiff J.B. was trafficked was an area known for high incidence of crime and prone to sex trafficking activity on and around the hotel premises, including when Plaintiff J.B. was trafficked.<sup>43</sup>
- g. Despite having knowledge of the extensive prostitution and sex trafficking that occurs at its motels, Defendant G6 has repeatedly failed to stop these actions.
- h. Defendant G6 exercised control over Motel 6® motels 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 Motel 6® branded motels 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

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<sup>43</sup> *Youngstown Crime Rates*, NEIGHBORHOOD SCOUT, <https://www.neighborhoodscout.com/oh/youngstown/crime> (last visited Jun. 21, 2019). See *Rodeway Inn – Youngstown: Reviews*, <https://www.choicehotels.com/ohio/youngstown/rodeway-inn-hotels/oh621> (“Shoddy, run down, poor sense of security,” “...scary.”) See also *Rodeway Inn – Youngstown: Reviews* [https://www.tripadvisor.com/Hotel\\_Review-g51184-d101699-Reviews-Rodeway\\_Inn-Youngstown\\_Ohio.html](https://www.tripadvisor.com/Hotel_Review-g51184-d101699-Reviews-Rodeway_Inn-Youngstown_Ohio.html) (“The place is a crack house. Local people lingering around selling dope... DIRTY, DIRTY, DIRTY AND SHADY...NOT SAFE.”)

human trafficking prevention.

- i. G6 was in an agency relationship with Motel 6® branded motels offering public lodging services in the hotel. This agency relationship was created through Defendant G6's exercise of an ongoing and systemic right of control over Motel 6® motels by Defendant G6's operations, including the means and methods of how Motel 6® branded motels conducted daily business through one or more of the following actions:
  - i. hosting online bookings on Defendant G6's domain;
  - ii. requiring Motel 6® branded motels to use Defendant G6's customer rewards program;
  - iii. setting employee wages;
  - iv. making employment decisions;
  - v. advertising for employment;
  - vi. sharing profits;
  - vii. standardized training methods for employees;
  - viii. building and maintaining the facility in a manner specified by the owner;
  - ix. standardized or strict rules of operation;
  - x. regular inspection of the facility and operation by owner;
  - xi. fixing prices; or other actions that deprive Motel 6® branded motels of independence in business operations.
- j. An apparent agency also exists between Defendant G6 and Motel 6® motels. Defendant G6 held out Motel 6® branded motels to the public as possessing authority to act on its behalf.

- k. Given Defendant G6's public statements on behalf of its hotel brands and the control it assumed in educating, implementing, and directing its branded motels, including Motel 6® branded motels, Defendant G6 breached its duties in the following ways:
- i. did not adequately distribute information to assist employees in identifying human trafficking;
  - 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.
- l. 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.”<sup>44</sup>

- m. For years, Defendant G6 has demonstrated willful blindness to the rampant culture of sex trafficking which tragically occurs on its Motel 6® branded properties throughout the country. This same entrenched, pervasive willful blindness to sex trafficking facilitated the sex trafficking of Plaintiff J.B. at Motel 6® motels 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 (10) times per day.<sup>45</sup>
- ii. In April 2009, a sex trafficking venture operated out of a Motel 6 in Toledo, Ohio.<sup>46</sup>
- 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.<sup>47</sup>
- 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.<sup>50</sup>

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<sup>44</sup> Review Of Motel 6 Rochester (Aug. 1, 2018), available at [https://www.tripadvisor.com/ShowUserReviews-g43466-d242739-r601808847-Motel\\_6\\_Rochester-Rochester\\_Minnesota.html](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.”).

<sup>45</sup> 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>.

<sup>46</sup> *Five Toledoans Indicted On Sex Trafficking Charges*, ABC7Chicago.com (Nov. 7, 2010), <https://abc7chicago.com/archive/7771888/>.

<sup>47</sup> 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>.

<sup>50</sup> 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>.

- v. Police rescued an eighteen (18) year old girl from a sex trafficker in February 2012, at a Motel 6 in Portland, Oregon.<sup>51</sup>
- 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.<sup>52</sup>
- 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.<sup>53</sup>
- viii. In approximately March 2013, sex traffickers began operating a sex trafficking venture out of Motel 6 locations in Bangor and Portland, Maine.<sup>54</sup>
- 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.<sup>55</sup>
- x. The FBI busted a sex trafficking ring operating out of a Motel 6 in San Antonio, Texas in September 2013.<sup>56</sup>
- 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.<sup>57</sup>

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<sup>51</sup> 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>.

<sup>52</sup> *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/>.

<sup>53</sup> *Suspects Busted In Anaheim Sex Ring*, ABC13 Eyewitness News (Dec. 5, 2012), <https://abc13.com/archive/8909784/>.

<sup>54</sup> 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/>.

<sup>55</sup> 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>.

<sup>56</sup> Stephanie Serna, *Sex Trafficking Ring Busted At Motel 6* (Sept. 17, 2013), <https://www.ksat.com/news/sex-trafficking-ring-busted-at-motel-6>.

<sup>57</sup> *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>.

- 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.<sup>58</sup>
- 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.<sup>59</sup>
- 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 Motel 6 in Cutler Bay, Florida.<sup>60</sup>
- 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.<sup>61</sup>
- 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.<sup>62</sup>
- 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.<sup>63</sup>

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<sup>58</sup> *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/>.

<sup>59</sup> 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>.

<sup>60</sup> 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>.

<sup>61</sup> *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/>.

<sup>62</sup> 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\\_d7a25494-9d21-11e6-8f94-63e5c74fab3.html](http://www.thesunchronicle.com/news/local_news/ri-man-gets-jail-in-sex-trafficking-case-involving-seekonk/article_d7a25494-9d21-11e6-8f94-63e5c74fab3.html).

<sup>63</sup> 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>.

- 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.<sup>64</sup>
- xix. Two men were arrested in March 2015 for sex trafficking a fifteen (15) year old girl at Motel 6 in Austin, Texas.<sup>65</sup>
- xx. In March 2015, police arrested a man for sex trafficking a runaway seventeen (17) year old at a Motel 6 in Warwick, Rhode Island.<sup>66</sup>
- 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.<sup>67</sup>
- 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.<sup>68</sup>
- 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.<sup>69</sup>

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<sup>64</sup> 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](https://www.postandcourier.com/archives/police-say-teen-starved-beaten-at-north-charleston-motel-man/article_032153ee-fcb6-5333-9182-926a7f43dfbf.html).

<sup>65</sup> 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>.

<sup>66</sup> Amanda Milkovits, *Massachusetts Man Accused Of Trafficking Teen In Warwick Motel*, NewportRI.com (Mar. 24, 2015), <https://www.newportri.com/article/20150324/NEWS/150329666>.

<sup>67</sup> 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](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).

<sup>68</sup> 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/>.

<sup>69</sup> Andrea Fisher, *Woman Caught Up In Human Trafficking Ring Pleads Guilty* (Aug. 29, 2016),

- 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.<sup>70</sup>
- 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.<sup>71</sup>
- xxvi. In approximately July 2015, sex traffickers sold a fifteen (15) year old girl for sex at a Motel 6 in Pismo Beach, California.<sup>72</sup>
- 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.<sup>73</sup>
- 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.<sup>74</sup>
- 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.<sup>75</sup>
- xxx. On March 23, 2016, a victim of a sex trafficking ring died at a Motel 6 in

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<https://www.greatfallsribune.com/story/news/local/2016/08/29/woman-caught-human-trafficking-ring-pleads-guilty/89566374/>.

<sup>70</sup> 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/>.

<sup>71</sup> *Tuscaloosa Man Charged With Rape And Trafficking Mississippi Teen*, NewsMississippi (Nov. 7, 2014), <https://newsms.fm/tuscaloosa-man-charged-human-trafficking-mississippi-teen/>.

<sup>72</sup> 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>.

<sup>73</sup> *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/>.

<sup>74</sup> *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/>.

<sup>75</sup> 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>.

Winchester, West Virginia.<sup>76</sup>

- 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.<sup>77</sup>
- 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 Hartford County, Connecticut.<sup>78</sup>
- 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.<sup>79</sup>
- 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.<sup>80</sup>
- xxxvi. At a Motel 6 in Des Moines, Iowa a man sex trafficked a minor victim

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<sup>76</sup> 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>.

<sup>77</sup> 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>.

<sup>78</sup> 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>.

<sup>79</sup> 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](https://www.nj.com/gloucester-county/index.ssf/2017/09/post_139.html).

<sup>80</sup> *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>.

in June 2017.<sup>81</sup>

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.<sup>82</sup>

xxxviii. A seventeen (17) year old girl was sold for sex by traffickers at a Motel 6 in Portland, Oregon in June 2017.<sup>83</sup>

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.<sup>84</sup>

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.<sup>85</sup>

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.<sup>86</sup>

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<sup>81</sup> 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/>.

<sup>82</sup> 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/>.

<sup>83</sup> 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>.

<sup>84</sup> 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>.

<sup>85</sup> Michael Balsamo, *Motel 6 To Pay To Settle Human Trafficking Case*, APNews.com (Aug. 31, 2017), <https://apnews.com/d13636fec55c42b88a08af18db6196fb>.

<sup>86</sup> 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>.

- xlii. Two (2) men were arrested in December 2017, for sex trafficking a minor female out of a Motel 6 in Destin, Florida.
- xliii. In February 2018, a man engaged in sex trafficking of two (2) women at a Motel 6 near New Orleans, Louisiana.<sup>87</sup>
- xliv. 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.<sup>88</sup>
- xlv. Law enforcement responded to a 911 call from a seventeen (17) year 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.<sup>89</sup>
- 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.<sup>90</sup>
- 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.<sup>91</sup>

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<sup>87</sup> 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>.

<sup>88</sup> 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>.

<sup>89</sup> Serena Fangary, *Social Media, Sexual Assault, And Sex Trafficking*, Webb Canyon Chronicle (May 23, 2018), <https://webbcanyonchronicle.com/2953/features/social-media-sexual-assault/>.

<sup>90</sup> 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>.

<sup>91</sup> *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/>.

- xlvi. Police busted a human trafficking operation at a Motel 6 in Ann-Arbor, Michigan in July 2018.<sup>92</sup>
- 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.<sup>93</sup>
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.” 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.<sup>94</sup>
- 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.<sup>95</sup>
- 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.<sup>96</sup>

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<sup>92</sup> 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>.

<sup>93</sup> 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>.

<sup>94</sup> *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/>.

<sup>95</sup> 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>.

<sup>96</sup> 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).

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](http://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 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.”<sup>97</sup>
- 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®.”<sup>98</sup> 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.”<sup>99</sup>
- In September 2015, a guest of the Motel 6 located at 31 North Green Bay

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<sup>97</sup> 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](https://www.tripadvisor.com/ShowUserReviews-g30677-d244048-r201566882-Motel_6_Huntsville_Madison-Madison_Alabama.html) (last visited Feb. 28, 2019).

<sup>98</sup> Review Of Motel 6 Huntsville-Madison (Apr. 29, 2015) [https://www.tripadvisor.com/ShowUserReviews-g30677-d244048-r266732408-Motel\\_6\\_Huntsville\\_Madison-Madison\\_Alabama.html](https://www.tripadvisor.com/ShowUserReviews-g30677-d244048-r266732408-Motel_6_Huntsville_Madison-Madison_Alabama.html) (last visited Mar. 1, 2019).

<sup>99</sup> *Id.*

Road, Waukegan, Illinois 60085 wrote: "HORRIBLE

HOTEL!!!...Prostitutes all over, drug dealers thru [sic] the hallway and parking lot[.]"<sup>100</sup>

- 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."<sup>101</sup>
- 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."<sup>102</sup>
- 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."<sup>103</sup>
- A review of the Motel 6 located at 34047 Fremont Boulevard, Fremont,

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<sup>100</sup> Review Of Motel 6 Waukegan (Sept. 14, 2015), *available at* <https://www.yelp.com/biz/motel-6-waukegan> (last visited Feb. 28, 2019).

<sup>101</sup> Review Of Motel 6 Bakersfield (Oct. 22, 2015), *available at* <https://www.yelp.com/biz/motel-6-bakersfield> (last visited Feb. 28, 2019).

<sup>102</sup> Review Of Motel 6 Warwick (Apr. 10, 2016), *available at* <https://www.yelp.com/biz/motel-6-warwick> (last visited Feb. 28, 2019).

<sup>103</sup> 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](https://www.tripadvisor.com/ShowUserReviews-g30196-d98441-r501375572-Motel_6_Austin_Midtown-Austin_Texas.html) (last visited Feb. 28, 2019).

California 94555 posted in February 2017 stated: “Guys might be sex trafficking at this Motel 6. I saw young girls and older men often.”<sup>104</sup>

- 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.”<sup>105</sup>
- 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.”<sup>106</sup>
- 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.”<sup>107</sup>
- On September 11, 2018, a reviewer of the Motel 6 located at 7541 Nates Road, Columbia, South Carolina posted: “Really nasty. My husband was

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<sup>104</sup> 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).

<sup>105</sup> Review Of Motel 6 Gaithersburg (May 15, 2017), *available at* <https://www.yelp.com/biz/motel-6-gaithersburg> (last visited Feb. 28, 2019).

<sup>106</sup> 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).

<sup>107</sup> 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).

propositioned and I was asked if I wanted drugs. Lots of men hanging out in lobby selling women. The 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.”<sup>108</sup>

- 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.”<sup>109</sup>
  - 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.”<sup>110</sup>
- iv. The Central Ohio Human Trafficking Task Force completed an investigation which resulted in indictments in August 2012, of several persons charged with human trafficking which occurred at the Motel 6 Columbus on Dublin-Granville Road in Columbus, Ohio as well as other locations.<sup>111</sup>

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<sup>108</sup> 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).

<sup>109</sup> 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).

<sup>110</sup> 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).

<sup>111</sup> John Fuddy, *Secret Panel On Human Trafficking Wins Indictments*, The Columbus Dispatch (Aug. 3, 2013), <https://www.dispatch.com/content/stories/local/2012/08/03/secret-panel-on-human-trafficking-wins-indictments.html>.

lvi. Next to the Motel 6 Columbus, another Motel 6 property was shut down by the City of Columbus due to the high number of police reports, including reports and complaints of rape, prostitution, and human trafficking.<sup>112</sup>

lvii. 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.<sup>113</sup>

71. RED LION HOTELS CORPORATION (“RLHC”):

- a. Defendant RLHC owns, supervises, or operates the America’s Best Value Inn®, formerly Economy Inn, located at 122 E 12th Street Oakland, California 94606. RLHC failed to implement and enforce any of its own policy or policies and protect Plaintiff J.B. from being sex trafficked.
- b. RLHC knew or should have known that the motel where Plaintiff J.B. was trafficked was an area known for high incidence of crime and prone to sex trafficking activity on and around the hotel premises, including when Plaintiff J.B. was trafficked.<sup>114</sup>
- c. Despite having knowledge of the extensive prostitution and sex trafficking that

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<sup>112</sup> Kocot, *supra* n.92.

<sup>113</sup> 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-9a17-4721-86d5-f4b08c98537aHWRQ1551645996343&cancellable=false&regionId=874&vip=false&c=c09cca44-f814-4c01-a3f4-c9ce719b313d&&exp\\_dp=52.99&exp\\_ts=1551645996754&exp\\_curr=USD&swpToggleOn=false&exp\\_pg=HSR](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-9a17-4721-86d5-f4b08c98537aHWRQ1551645996343&cancellable=false&regionId=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).

<sup>114</sup> *Steubenville Crime Rates*, NEIGHBORHOOD SCOUT, <https://www.neighborhoodscout.com/oh/steubenville/crime> (last visited Jun. 21, 2019).

occurs at its hotels and motels, Defendant RLHC has repeatedly failed to stop these actions.

- d. Defendant RLHC exercised control over America's Best Value 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 Residence 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.
- e. RLHC was in an agency relationship with America's Best Value Inn® branded hotels offering public lodging services in the hotel. This agency relationship was created through Defendant RLHC's exercise of an ongoing and systemic right of control over America's Best Value Inn® hotels by Defendant RLHC's operations, including the means and methods of how America's Best Value Inn® branded hotels conducted daily business through one or more of the following actions:
  - i. hosting online bookings on Defendant RLHC's domain;
  - ii. requiring Residence Inn® branded hotels to use Defendant RLHC's customer rewards program;

- iii. setting employee wages;
  - iv. making employment decisions;
  - v. advertising for employment;
  - vi. sharing profits;
  - vii. standardized training methods for employees;
  - viii. building and maintaining the facility in a manner specified by the owner;
  - ix. standardized or strict rules of operation;
  - x. regular inspection of the facility and operation by owner;
  - xi. fixing prices; or
  - xii. other actions that deprive America's Best Value Inn® branded hotels of independence in business operations.
- f. An apparent agency also exists between Defendant RLHC and America's Best Value Inn® hotels. Defendant RLHC held out America's Best Value Inn® branded hotels to the public as possessing authority to act on its behalf.
- g. Given Defendant RLHC's public statements on behalf of its hotel brands and the control it assumed in educating, implementing, and directing its branded hotels, including America's Best Value Inn® branded hotels, Defendant RLHC breached its duties in the following ways:
- i. did not adequately distribute information to assist employees in identifying human trafficking;
  - 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.
- h. For years, Defendant Economy Inn and Defendant RLHC have demonstrated willful blindness to the rampant culture of sex trafficking which tragically occurs with its operators of America's Best Value Inn® branded properties throughout the country.<sup>115</sup> This same entrenched, pervasive willful blindness to sex trafficking facilitated the sex trafficking of Plaintiff J.B. by the owners and operators of America's Best Value Inn® motel that forms the basis of this complaint.

#### **D. THE SEX TRAFFICKING OF J.B.**

72. J.B. was living in a group home for minors and was under the care of the State of California, when she was enticed onto Craigslist and taught by another minor how to post

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<sup>115</sup> See Review of Red Lion Inn & Suites Victoria (April 28, 2013), available at [https://www.tripadvisor.com/ShowUserReviews-g154945-d182597-r159076862-Red\\_Lion\\_Inn\\_Suites\\_Victoria-Victoria\\_Victoria\\_Capital\\_Regional\\_District\\_Vancouve.html](https://www.tripadvisor.com/ShowUserReviews-g154945-d182597-r159076862-Red_Lion_Inn_Suites_Victoria-Victoria_Victoria_Capital_Regional_District_Vancouve.html) (last visited Sept. 5, 2019) ("If you like stained furniture in your room, hookers standing out front, a liquor store onsite and the sounds of loud parties with hookers all night then this is the place for you.").

pictures and create advertisements, which Craigslist would post online in the County of Alameda. The advertisements led to minor J.B. being sex trafficked by traffickers and buyers through contacts that were initiated on the Craigslist “erotic services” advertising section of their website.

73. Plaintiff J.B. was advertised for sale on the Defendant Craigslist classified advertising website from 2007 through 2010. Craigslist advertised the minor Plaintiff in the Craigslist designated categories of ‘erotic services. The Craigslist advertisements were obvious advertisements for commercial sex with the minor plaintiff. Plaintiff was featured on Craigslist commercial sex advertisements numerous times throughout this time frame.

74. J.B. was required to have sex for payment with various buyers at the Defendants’ motels in response to advertisements for commercial sex posted on Craigslist’s erotic and adult services sections when she was a minor.<sup>120</sup>

75. J.B. was repeatedly sold and purchased for commercial sex acts as a victim of child sex trafficking. She was raped and abused by an average of 6 to 8 adults a night who would respond to the Craigslist advertisements and rape her in the defendants’ motels.

76. The Defendants knew or should have known that J.B. was a minor on their premises or websites, without a parent or guardian, and with extreme prejudice for her race, age, and position in life Defendants conspired to profit from unknown male visitors who repeatedly assaulted minor, J.B.

77. Defendant motels welcomed and invited minor J.B. to the motel as a guest and visitor,

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<sup>120</sup> Backpage.com was the leading online marketplace for commercial sex, until it was seized by the federal authorities in April 2018. Backpage.com operated in 97 countries and 943 locations worldwide—and was last valued at more than a half-billion dollars. See STAFF OF PERMANENT SUBCOMMITTEE ON INVESTIGATIONS; 118TH CONG., REP. ON BACKPAGE.COM’S KNOWING FACILITATION OF ONLINE SEX TRAFFICKING (Comm. Print 2017).

as long as she did not complain or seek help or services while being assaulted by multiple and repeated unknown male guests and visitors for the Defendants' profits.

78. An innumerable number of commercial sex acts were induced and forced upon minor J.B. between 2007 and 2009 for the Defendants' profit. J.B. was repeatedly sexually molested, sexually assaulted, threatened and forced into commercial sex by adult male purchasers who held J.B. for periods of time, and induced sex acts from her as a minor by force, fraud and coercion.

79. Defendants discouraged minor J.B. from asking for help from motel staff or seeking assistance from guests in neighboring rooms, who were often violent criminals, traffickers and victims.

80. Unknown male guests would frequently pay for the rooms that J.B. minor would stay in, and one night at a time they paid with cash and credit cards for rooms. The rooms were frequently left with her clothing, numerous used condoms scattered across various surfaces and in complete disarray. Buyers would repeat the process multiple times a week.

81. Between 2007 and 2009, traffickers routinely purchased rooms in exchange for sex acts with minor J.B. and subsequently the motels and the buyers conspired to facilitate the selling of J.B. at motels throughout Oakland and Alameda County. At each of Defendant properties, J.B. would be expected to perform sexual acts and would be subjected to multiple sexual assaults and molestations, as well as false imprisonment and forcible rape.

82. After every trafficking and facilitator left the room, it was expected by the motel that J.B. would remain quiet and peaceful to not complain or ask for any help. The unknown male guests acting as traffickers would obtain the motel rooms to facilitate sex trafficking of a minor, and the Defendants would profit from the transaction. The buyer trafficker would rape and sexual assault the minor J.B. before leaving her in the motel's care to assist in keeping her

quiet and complacent for the next purchaser.

83. The Defendant motels would allow and permit J.B. to remain on the property if she would remain complacent and allow future activity and business to transpire for their profit.

84. Defendants expected J.B. to remain compliant with unknown male guests and their website visitors in exchange for the “privilege of use of their location and advertising services.

85. Sexual predators and child sex traffickers entering Defendant motels’ and frequenting websites generated revenue and profits for Defendants’ businesses.

86. Unknown male customers of websites and motels were engaged in repeated acts of child sex trafficking, while Defendants’ silence and compliance with the activity encouraged them to return and continue the illegal and harmful acts towards minor J.B.

87. The foot traffic to the rooms inhabited by minor J.B. became constant and voluminous due to the concerted acts and omissions of Defendant motels and websites.

#### **THE MITCHELL MOTEL**

88. As a minor, J.B. was taken to the Mitchell, a local budget motel in Oakland, California in 2007. On her first visit to the Mitchell J.B. was 15 years old. She was taken to a room rented by an unknown adult sex buyer who was in his mid to late 40’s and was not related to J.B. The unknown male guest at the Mitchell drove to International Blvd. in an area known for trafficking of children and teens and picked up J.B. He brought her to his room at the Mitchell in plain sight of motel staff who monitored each room, all guests and visitors.

89. The Defendant motel staff were located in an area where they witnessed J.B., the minor, walk into the room, she walked closely and together with the male guest, who had previously paid for a room and was registered at the motel. Motel staff witnessed that minor J.B. was in extremely revealing clothing including shorts that revealed her buttocks and a tank top that

was inappropriate for the hour and location.

90. Minor J.B. was taken into the room at approximately 1 or 2 am in the morning, the guest at the hotel had previously rented the room. There were staff at the Mitchell watching cameras and watched the purchaser walk in with J.B., an unrelated female minor at an hour of the evening that was past any city curfews for children.

91. Plaintiff J.B. remained in the rented room at the Mitchell for the rest of the night being sexually assaulted and molested in the provided space with the unknown adult male guest, who had enticed her into the room with an invalid and illegal arrangement that purchased her silence and compliance with sexual abuse for money.

92. Minor J.B. was held in the room rented by the unknown male guest until around 7 am. At 7 am both the guest and the minor Plaintiff J.B. left the motel room and property together. Defendants witnessed her leaving with the male guest in his vehicle.

93. The unknown male child sex trafficker and sexual predator in his 40's then took J.B. in his vehicle from the Defendant motel to the minor J.B.'s stated place of residence, a group home for children.

94. Minor J.B. slept for the rest of the day. J.B. minor was ashamed for the interaction with the adult male who had given her \$400 to rape her, hold her captive, and sexually assault her in a motel room provided by the Defendant for their profit.

95. On another occasion minor J.B. was lured back to the Mitchell and forced to remain in an unknown male guest's room, who assaulted throughout the night.

96. Minor J.B. suffered repeatedly, while the Mitchell motel profited from the business of renting the room to unknown male guests, who were known to be seeking sexual services from J.B. minor.

**ECONOMY INN, NOW OPERATING AT AMERICA'S BEST VALUE INN**

97. The Economy Inn is now America's Best Value Inn, 122 East 12th Street, Oakland though the sign says "under new management" the same owners and operators have been there from 2007 to 2009 when it was called Economy Inn.

98. Economy Inn in July 2007 was rented by an unknown male who knew that J.B. was a minor when he picked J.B. up on International Boulevard in Oakland. The Caucasian male drove J.B. to Economy Inn, where motel staff could of and should have witnessed her in the vehicle. The unknown male in his late 30's then went into the motel and purchased a room for approximately \$50 to \$60 for the night. The purchaser then offered the minor J.B. \$60 for unknown sexual acts that would happen in the Economy Inn which included both oral and vaginal sexual penetration of a minor. The Economy Inn benefited from the transaction and did not suffer any rape or harm, as did minor J.B. The Economy Inn knew and accepted profit from the illegals sex acts with a minor.

99. J.B. experienced approximately 14 violent sexual assaults at Economy Inn between 2007 and 2011 by traffickers, including purchasers and pimps, who were selling or attempting to sell children for sex with purchasers.

100. The first time J.B. was violently sexually assaulted at Economy Inn she was 15 years old. An unknown adult male in his late 40's to mid 50's who was African American took J.B. minor to his room in plain sight of motel staff, and then told J.B. minor that he did not have a condom and she would have to stay with him. When J.B. minor asked to go to the store, the unknown male postured himself in front of the door, holding her against her will. The unknown male then forced her into sexual acts and caused great bodily injury. The unknown male guest who rented a room at Economy Inn had premeditated his acts and planned to rent the room to force sexual acts upon minor victims, like J.B. When the unknown male Economy Inn guest forcibly raped her and held her against her will in a motel room he

rented for that purpose.

101. The next time J.B. recalls experiencing a violent sexual assault at Economy Inn occurred in the afternoon under the day light, in the parking lot of Economy Inn when J.B. was 16 years old, and an adult male who claimed to be a guest at the economy asked her to cover the car windows with clothing he had in the vehicle. The unknown male guest then pulled a gun on J.B. minor in a vehicle and forcibly raped J.B. causing her great bodily injury. The unknown male guest's vehicle was parked in an area that was monitored by Economy Inn and there was surveillance. J.B. minor did not ask for help because there was a lot of commercial sex activity and many minor victims and traffickers were in the parking lot.

102. J.B. was 17 years old when five (5) pimps busted down the door at an Economy Inn room and kidnapped her. The traffickers temporarily took her from Economy Inn and let her out on High Street and told her to meet them back at Economy Inn after her first commercial sex act to hand over the money. J.B. did not go back to the Economy Inn for 8 months after that incident and left all of her belongings, clothing, shoes, make up, jewelry, and personal items in the room.

103. On another occasion while a guest at Economy Inn a pimp hit J.B. in the head with an iron.

104. Economy Inn had a regular practice of accepting money and room rentals from commercial sex buyers, who would rent the rooms directly from the motel, in exchange for sexual acts with minor J.B. The room rental, which benefited the motel, was in lieu of offering money for sexual services.

105. J.B. was assaulted at the Sage motel when a sex buyer who answered a commercial sex advertisement located pictures of on the now defunct and criminally liable MyRedbook website. The sex buyer arranged over the criminal website to meet J.B. at the Sage and

planned to sexually assault the minor J.B.

106. The unrelated male visitor to the Sage was noticeable to the motel staff. The unrelated male visitor to the Sage was missing a limb, and he explained to the minor J.B. that he had lost a leg because he had a surgery that went wrong. After parking at the Sage and entering the motel room occupied by minor J.B. the unknown male visitor became angry and demanded that minor J.B. "take off [her] clothes." The unknown male visitor to the Sage held J.B. minor against her will and sexually assaulted her causing great bodily injury. The unknown male visitor did not offer J.B. money for the sexual assault.

107. J.B. minor was unable to ask for help from the adults and management at the motel due to their prejudice and judgment against her as a "teen prostitute."

108. The Sage Motel failed to protect J.B. as a guest and permitted unknown male guests and visitors to sexually abuse and assault minor J.B. despite being ordered to monitor all minor guests, require identification, and to not allow known buyers onto hotel premises. In 2011, the city of Oakland reached a settlement with the owners of Sage motel for similar acts and omissions.<sup>121</sup>

109. J.B.'s traffickers obtained J.B. by paying for motel rooms for the purposes of supporting, promoting and engaging in child sex trafficking. The buyers conspired with the motels when they paid for the rooms that they did not intend to remain in, and completed the acts of child sex trafficking and sexual assault after reaching an agreement with the motel to pose as a legitimate customer, which would allow for many more unknown male visitors to frequent the

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<sup>121</sup> *Oakland seeking to shut down two motels known for prostitution.* By Kristin J. Bender, Bay Area News Group, Oakland Tribune, Mercury New (February 10, 2012). City Attorney Barbara Parker said, "We hope the owners will use this time to come up with a business plan that doesn't rely on prostitution as a major source of revenue. Attempts to close the motels came after other means to clean up the businesses failed." "In October 2001, Alameda County Superior Court Judge ... ordered them to install security cameras and lighting, limit the number of visitors per room and ... ruled that minors not with parents or guardians must have valid identification and ... [owners were] banned from renting to a list of known johns and pimps...Still, prostitution and crime has continued."

room of minor J.B. Unknown male guests facilitated child sex trafficking when they posed as single guests to cover up their crimes and activities.

110. Each Defendant motel was aware that at the end of each fraudulent stay, an inordinate number used condoms were scattered across the rooms, along with teenage girls clothing, shoes, make up, hair styling tools, electronics, drug and alcohol paraphernalia.

111. J.B. observed that the motels had numerous monitored surveillance cameras that were not in place to help her or curtail dangerous activity. Cameras that were ordered to be put in place to keep children safe, were instead used by motel staff and traffickers to keep minor J.B. and other victims from reporting crimes. The motel staff consistently witnessed alarming acts of violence and in doing nothing the motel staff sent a clear message that minor J.B. was not to ask or seek help or services from the staff or law enforcement. Seeking help after an assault would result in being banned from the motel property. This chilling effect on reporting crimes increased the frequency and likelihood of sexual and physical assaults against minor J.B.

112. Minor J.B. was a guest and visitor at the Mills motel from 2007 to 2009. During the same period, minor J.B. was a guest and visitor at The Budget Inn, which is now Piedmont Place, located at 55 MacArthur, Oakland

113. At the Mitchell, an unknown male guest held minor J.B. against her will and would not let her leave all night.

114. At the Holiday Motel, minor J.B. was assaulted by a known pimp.

115. On several occasions, J.B.'s traffickers injured her so badly that she knew it was noticeable to the public. Paraphernalia was often left in the rooms when she left rooms, and there was direct contact between traffickers, child rapists, kidnappers and the hotel staff.

116. Prior to, during, and following the incidents described herein, the Defendants had actual

and/or constructive notice of drug dealing, prostitution, and/or general safety concerns at their properties, including, but not limited to, video surveillance of their motels and parking lots, as well as oral or written complaints regarding said suspicious activity. The Defendants failed to take any actions to curtail or intervene as they profited from the injuries of J.B. minor.

117. Had the Defendants been responsive to the activities being conducted at and around their properties, and the apparent red flags outlined above, it would have been impossible for them not to notice the victimization of J.B., as well as notice that they were profiting from the victimization of J.B.

#### **E. THE DEFENDANTS FACILITATED THE TRAFFICKING OF J.B.**

118. G6 Hospitality, LLC, doing business as Motel 6; Red Lion Hotels Corporation, doing business as America's Best Value Inn; The Budget Inn; the Economy Inn; Bay Breeze Inn; The Mitchell; Sage Motel; Holiday Motel; and Mills Motel ("Defendant Motels") profited from the sex trafficking of J.B. and knowingly or negligently aided and engaged with her trafficker in his sex trafficking venture. The Defendants leased rooms to J.B.'s traffickers, when they knew, or should have known, that he was using their room to imprison J.B., physically assault her, and subject her to repeated exploitation as he forced her into sexual servitude.

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

120. Defendant Motels knew, or should have known, that J.B. was being trafficked because J.B. constantly entertained traffic to appease her traffickers' daily quotas, and her traffickers would help check her in then not proceed to the room; behavior that indicated they were using the Defendants' hotels for his illegal sex trafficking venture.

121. Defendant Motels actively participated in this illegal endeavor by knowingly or negligently providing lodging to J.B.'s trafficker in which to harbor J.B. while he was trafficking her.
122. Defendant Motels profited from the sex trafficking of J.B. and knowingly or negligently aided and participated with J.B.'s trafficker in his criminal venture. The Defendants took no action as J.B. repeatedly visited the hotel, often with different guests, without any luggage, avoiding all eye contact, and exhibiting signs of malnourishment, and often displaying prominent bruising all over her person.
123. Defendant Motels actively participated in this illegal endeavor by knowingly or negligently providing lodging to those who purchased sex from J.B. in which to harbor J.B. while she was being trafficked.
124. The Defendant Motels all had the opportunity to stop J.B.'s trafficker and offenders like him from victimizing J.B. and others like her. Instead, every Defendant failed to take reasonable measures to stop sex trafficking from occurring in their hotels.
125. The Defendant Motels all financially benefited from the sex trafficking of J.B., and other victims like her, and developed and maintained business models that attract and foster the commercial sex market for traffickers and buyers alike.
126. Defendant Motels enjoy the steady stream of income that sex traffickers bring to their motel brands, such as the Motel 6 and America's Best Value Inn.
127. Defendant Motels financially benefit from their ongoing reputation for privacy, discretion, and the facilitation of commercial sex.
128. 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.

129. Defendant Motels maintained their deficiencies to maximize profits by:

- a. Reducing the cost of training employees and managers of 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;

130. As a direct and proximate result of these egregious practices on the part of the Defendant Motels, J.B. 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 (“TVPRA”)**

131. The Plaintiff J.B. incorporates each foregoing allegation.

132. J.B. 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.

133. 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 J.B. for

the purposes of commercial sex induced by force, fraud, or coercion, by their acts, omissions, and commissions.

134. 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 J.B. on each occasion they received payment for rooms that she was being kept in at the Defendants' motels. The actions, omissions, and/or commissions alleged in this pleading were the but for and proximate cause of J.B.'s injuries and damages.

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

**B. COUNT TWO – SEX TRAFFICKING UNDER CAL. CIV. CODE § 52.5**

136. The Plaintiff J.B. incorporates all other allegations

137. At all relevant times, J.B. was a victim within the meaning of California Civil Code section 52.5(a) and California Penal Code section 236.1.

138. Defendant Motels and Craigslist acted to deprive and violate the personal liberty of J.B.

139. J.B. was forced, coerced, and made a victim of sex trafficking by means of force, fraud, deceit, coercion, violence, duress, menace, or threat of unlawful injury to themselves and others, including family members.

140. Defendants committed acts at issue with malice, oppression, fraud, and duress. Cal. Civ. Code § 52.5(b); Cal. Penal Code § 236.1(h).

141. Defendants' CTVPA violations were a direct, producing, and proximate cause of the injuries and damages to J.B.

**C. COUNT THREE – NEGLIGENCE AGAINST DEFENDANT MOTELS  
AND DEFENDANT KAIRO, UNLIMITED**

142. The Plaintiff adopts and incorporates by reference each and every allegation contained in the preceding paragraphs of this Complaint as if fully set forth herein.

143. At the time of the incidents alleged herein, the Defendants employed staff to operate their establishment, including, but not limited to, day and night front desk staff, housekeeping staff, and/or maintenance workers. Throughout this time period, as outlined above, the Defendants and/or their actual and/or apparent agents, servants, and/or employees', repeatedly failed to observe and report signs of unknown male guests misconduct at their establishment, including, but not limited to, signs of human trafficking and or sexual exploitation taking place on the premises.

144. Defendant Kairos had a duty to use reasonable care to select, train, supervise, and retain its employees working at the group home, including but not limited to, proper training and or supervision relating to the observation, investigation, and reporting of signs of misconduct, including, but not limited to, human trafficking and sexual exploitation in or about the property.

145. Defendant Kairos had a duty to use reasonable care to ensure the safety and security of residents and guests at their group home, including minor J.B.

146. At the time of the incidents alleged herein, the Defendants employed staff to operate their establishment, including, but not limited to, day and night time staff and/or maintenance workers. Throughout this time period, as outlined above, the Defendants and/or their actual and/or apparent agents, servants, and/or employees', repeatedly failed to observe and report signs of guest misconduct at their establishment, including, but not limited to, signs of human trafficking and or sexual exploitation taking place on the premises. Furthermore, upon

information and belief, the Defendant Kairos, and/or their actual and/or apparent agents, servants, and/or employees', repeatedly failed to warn their residents, including J.B. of said trafficking.

147. Additionally, prior to the incidents alleged herein, the Defendant Kairos failed to properly train their employees regarding security and the detection of misconduct in their establishment and on their property, including, but not limited to, signs of human trafficking and sexual exploitation.

148. Defendants breached this duty of care by acts, omissions, and commissions including, but not limited to:

- a. Failure to adequately train, supervise, and retain employees to ensure proper monitoring of surveillance cameras and reporting of incidences at their property that would clearly reveal signs of human trafficking and/or sexual exploitation to any reasonable person.
- b. Failure to adequately train, supervise, and retain employees to ensure proper monitoring of the number of guests in and around each room of their establishment, and non-guest visitors in and around their premises.
- c. Failure to provide and/or train adequate security in their establishment and/or on their property with the knowledge that said premises had a history of caring for children that had been abused and had been victims of sex trafficking;
- d. Failure to adequately train, supervise, and retain employees, to ensure proper monitoring of their establishment for signs of dangerous conditions including, but not limited to, human trafficking, sexual exploitation, and rape, by ignoring the following conditions:

- i. The repeated absence and return of minor J.B. from the residence;
  - ii. The repeated gifts, money and expensive belongings that J.B. would exhibit upon returning to the residence.
  - iii. The number and frequency of unknown male visitors entering and exiting the group home property and premises with minor J.B.;
  - iv. Unknown adult male visitors to minor J.B. that resulted in J.B.'s sexual abuse and sexual assault;
  - v. Signs of the repeated sexual abuse and commercial sexual exploitation;
  - vi. Signs of pimp and trafficker control over J.B. minor and her personal property;
  - vii. Signs of deprivation including, but not limited to, diminished personal hygiene, lack of luggage, malnourishment, submissiveness, and inappropriate attire; and
  - viii. repeated visits by unknown male visitors and/or the presence of unknown male visitors on the property.
- e. Failure to adequately train, supervise, and retain employees, to ensure proper monitoring of their establishment and their property for signs of suspicious behavior on the premises, which would have alerted the Defendants to the sex trafficking of J.B., including, but not limited to loud noises and sounds of distress coming from rooms and areas in the establishment and/or on the property, the odor of drugs emanating from vehicles on and around the premises, and areas in the establishment and/or on the property, discarded drug paraphernalia, non-relatives entering and exiting premises in the establishment

- and/or on the property, and the apparent purchasing of sex acts in the establishment and/or on the property;
- f. Failure to adequately train, supervise, and retain its actual and/or apparent agents, servants and/or employees, including, but not limited to, training to ensure the investigation of suspicious behavior at their establishment and/or properties which would have alerted the Defendants to the sex trafficking of J.B.;
- g. Failure to adequately train, supervise, and retain its actual and/or apparent agents, servants and/or employees, including, but not limited to, training to ensure proper reporting to law enforcement of signs of guest misconduct at their establishment and/or on their property, including, but not limited to human trafficking and sexual exploitation;
- h. Failure to adequately train, supervise, and retain its actual and/or apparent agents, servants and/or employees, including, but not limited to, training to ensure a timely response and investigation into guest complaints regarding suspicious behavior at their establishment and/or on their property, which would have resulted in their discovery of the sex trafficking of J.B.;
- i. Failure to provide adequate security and take reasonable steps to protect J.B.;
- and
- j. Being otherwise careless and negligent.

149. As a direct and proximate result of the aforementioned negligent acts, omissions, and/or commissions by the Defendants, J.B. was repeatedly and consistently assaulted both physically and sexually, verbally abused, held against her will, regularly exploited, and was otherwise irreparably injured, both physically and psychologically. Said acts were repeatedly perpetrated at the Defendants' establishment and the Defendants failed to prevent against

such horrible acts. The imminent harm described above, as well as J.B.'s injuries, were a foreseeable and preventable result of the Defendants' negligence and their failure to adequately train and supervise their employees and to provide adequate security and take reasonable steps to protect J.B.

150. J.B. has suffered, and/or will continue to suffer, from injuries, including, but not limited to, past and future conscious physical pain and mental anguish, past and future pain and suffering, and economic loss, past, present and future, as a direct and proximate result of the Defendants' failure to adequately train, supervise, and retain their employees to adequately recognize and investigate indicia of guest misconduct. The Defendants' failure to adequately train, supervise, and retain their employees facilitated such an environment of disorder and violence that the injuries sustained by J.B. were both foreseeable and imminent.

151. Additionally, J.B. has suffered, and continues to suffer, from damages, including but not limited to, a lifetime loss of earnings, a diminution in earning capacity and/or medical expenses past and future, including the expenses that in reasonable probability will be incurred in the future, as a direct and proximate cause of the Defendants', and/or their actual and/or apparent agents, servants, and/or employees', negligent acts, omissions, and/or commissions.

152. Furthermore, J.B. has suffered, and continues to suffer, from injuries, including, but not limited to, a loss of expected enjoyment of life and a permanent alteration of reasonable pre-injury life expectations.

153. The Plaintiff avers that all damages, past, present, and future, were a direct and proximate result of the negligent acts, omissions, and/or commissions of the Defendants and/or their actual and/or apparent agents, servants, and/or employees', without any negligence or want of due care on the part of the Plaintiff contributing thereto.

**D. COUNT FOUR – NEGLIGENCE PER SE**

154. The Plaintiff adopts and incorporates by reference each and every allegation contained in the preceding paragraphs of this Complaint as if fully set forth herein.
155. Defendants' acts and omissions violated various provisions of California law, including but not limited to: the CTVPA, Cal. Civ. Code § 52.5(b); Cal. Penal Codes § 236.1(h); § 11225(a) and 11226.
156. Defendants' failure to comply with the standard of care set forth in these laws constitutes negligence per se.
157. Each of Defendants' negligent acts and omissions, singularly or collectively, constituted negligence per se and proximately caused legal injuries to J.B.

**E. COUNT FIVE – CIVIL CONSPIRACY**

158. The Plaintiff adopts and incorporates by reference each and every allegation contained in the preceding paragraphs of this Complaint as if fully set forth herein.
159. Defendants conspired with both traffickers and sex customers to facilitate and benefit from the sex trafficking occurring on their website and at their motels.
160. Defendant motels and Defendant Craigslist entered into a civil conspiracy with unknown male guests and/or traffickers, who facilitated, promoted and benefited from sex trafficking, sexual assault and molestation of the minor plaintiff.
161. The conspiracy accomplished an unlawful purpose by unlawful means, including but not limited to, promoting and assisting human traffickers' sexual exploitation of minors, including but not limited to minor J.B.
162. At least one or more of Defendant motels and Defendant Craigslist committed one or more unlawful, overt acts to further the conspiracy.
163. J.B. suffered injury and damages as a direct and proximate result of Defendants'

wrongful acts.

164. This civil conspiracy and Defendants' individual, predicate misconduct, wrongful acts, and omissions, were a direct, producing, and proximate cause of the injuries and damages to the minor J.B.

165. This civil conspiracy and Defendants' individual, predicate misconduct, wrongful acts, and omissions, were a substantial factor in bringing about the injury and damage to minor J.B.

166. Without this civil conspiracy, and Craigslist and Defendant motels individual, predicate misconduct, wrongful acts, and omissions, the injury and damages would not have occurred.

167. A person of ordinary intelligence in Defendants' positions would have foreseen damages resulting from this civil conspiracy and from Defendants' individual predicate misconduct, wrongful acts, and omissions.

#### **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; punitive damages with respect to each cause of action;
- i. reasonable and recoverable attorneys' fees;
- j. costs of this action; and
- k. 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: September 19, 2019

**RESPECTFULLY SUBMITTED,**

By:   
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*Trial Attorney for Plaintiff*

Brianna Scott 8504366153

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**FILED BY FAX**

ALAMEDA COUNTY

October 15, 2019

CLERK OF  
THE SUPERIOR COURT  
By Milagros Cortez, Deputy

CASE NUMBER:  
**RG19035936**

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF ALAMEDA

J.B., an individual,

Plaintiff,

vs.

G6 HOSPITALITY, LLC, et al.;

Defendant(s)

) Case No.: RG-190-359-36

) MEMO

**MEMO**

On September 19, 2019, Complaint was brought forth for the above referenced case number. At that time, it was indicated via CMC-010 (Exhibit A) that this was a complex case under rule 3.400 of the California Rules of Court, and credit card information was provided via MC-005 to pay the necessary complex filing fee. However, payment was not processed as such. At this time, we request the court to process the credit card provided on the updated MC-050 in order to cover complex filing fee.

Dated this 14th day of October, 2019

MEMO - 1

Brianna Scott 8504366153

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RESPECTFULLY SUBMITTED,

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***Trial Attorney for Plaintiff***

# EXHIBIT A

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Carissa Phelps (Cal Bar #264044)</b> Bauer & Phelps, LLP 215 Tacoma Ave S. Tacoma, WA 98402 TELEPHONE NO.: 253-383-2000 FAX NO.: 253-383-0154 ATTORNEY FOR (Name): <b>J.B., an individual</b>	<b>FOR COURT USE ONLY</b>			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>Alameda</b> STREET ADDRESS: <b>1225 Fallon St.</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Oakland, CA 94612</b> BRANCH NAME:				
CASE NAME: <b>J.B. v. G6 Hospitality, et. al.</b>				
<table border="0" style="width:100%;"> <tr> <td style="width:33%; vertical-align: top;"> <b>CIVIL CASE COVER SHEET</b>  <input checked="" type="checkbox"/> <b>Unlimited</b>                      (Amount demanded exceeds \$25,000)                 </td> <td style="width:33%; vertical-align: top;"> <input type="checkbox"/> <b>Limited</b>                      (Amount demanded is \$25,000 or less)                 </td> <td style="width:33%; vertical-align: top;"> <b>Complex Case Designation</b>  <input type="checkbox"/> <b>Counter</b>    <input type="checkbox"/> <b>Joinder</b>                      Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)                 </td> </tr> </table>	<b>CIVIL CASE COVER SHEET</b> <input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000)	<input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less)	<b>Complex Case Designation</b> <input type="checkbox"/> <b>Counter</b> <input type="checkbox"/> <b>Joinder</b> Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER:  JUDGE:  DEPT:
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*Items 1-6 below must be completed (see instructions on page 2).*

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |   |  |
|---|--|
| a. <input checked="" type="checkbox"/> Large number of separately represented parties   | d. <input checked="" type="checkbox"/> Large number of witnesses   |
| b. <input checked="" type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input checked="" type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |
3. Remedies sought (check all that apply): a.  monetary    b.  nonmonetary; declaratory or injunctive relief    c.  punitive
4. Number of causes of action (specify): **5**
5. This case  is  is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: September 19, 2019  
 Carissa Phelps



(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

CM-010

**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET**

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

**CASE TYPES AND EXAMPLES****Auto Tort**

Auto (22)—Personal Injury/Property Damage/Wrongful Death  
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death  
Product Liability (*not asbestos or toxic/environmental*) (24)  
Medical Malpractice (45)  
Medical Malpractice—Physicians & Surgeons  
Other Professional Health Care Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice (*not medical or legal*)  
Other Non-PI/PD/WD Tort (35)

**Employment**

Wrongful Termination (36)  
Other Employment (15)

**Contract**

Breach of Contract/Warranty (06)  
Breach of Rental/Lease  
Contract (*not unlawful detainer or wrongful eviction*)  
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book accounts) (09)  
Collection Case—Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage (*not provisionally complex*) (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

**Real Property**

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

**Unlawful Detainer**

Commercial (31)  
Residential (32)  
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

**Judicial Review**

Asset Forfeiture (05)  
Petition Re: Arbitration Award (11)  
Writ of Mandate (02)  
Writ—Administrative Mandamus  
Writ—Mandamus on Limited Court Case Matter  
Writ—Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal—Labor Commissioner Appeals

**Provisional Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)**

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

**Enforcement of Judgment**

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment (*non-domestic relations*)  
Sister State Judgment  
Administrative Agency Award (*not unpaid taxes*)  
Petition/Certification of Entry of Judgment on Unpaid Taxes  
Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

RICO (27)  
Other Complaint (*not specified above*) (42)  
Declaratory Relief Only  
Injunctive Relief Only (*non-harassment*)  
Mechanics Lien  
Other Commercial Complaint Case (*non-tort/non-complex*)  
Other Civil Complaint (*non-tort/non-complex*)

**Miscellaneous Civil Petition**

Partnership and Corporate Governance (21)  
Other Petition (*not specified above*) (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief From Late Claim  
Other Civil Petition



<http://apps.alameda.courts.ca.gov/domainweb>.

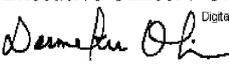
All motions in this matter to be heard prior to Complex Litigation Determination Hearing must be scheduled for hearing in Department 21.

If the information contained in this notice requires change or clarification, please contact the courtroom clerk for Department 21 by e-mail at [Dept.21@alameda.courts.ca.gov](mailto:Dept.21@alameda.courts.ca.gov) or by phone at (510) 267-6937.

TELEPHONIC COURT APPEARANCES at Case Management Conferences may be available by contacting CourtCall, an independent vendor, at least 3 business days prior to the scheduled conference. Parties can make arrangements by calling (888) 882-6878, or faxing a service request form to (888) 883-2946. This service is subject to charges by the vendor.

Dated: 10/16/2019

Chad Finke Executive Officer / Clerk of the Superior Court

By  <sup>Digital</sup>

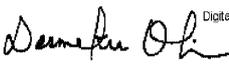
Deputy Clerk

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**CLERK'S CERTIFICATE OF MAILING**

I certify that the following is true and correct: I am the clerk of the above-named court and not a party to this cause. I served this Notice by placing copies in envelopes addressed as shown hereon and then by sealing and placing them for collection, stamping or metering with prepaid postage, and mailing on the date stated below, in the United States mail at Alameda County, California, following standard court practices.

Executed on 10/17/2019.

By  <sup>Digital</sup>

Deputy Clerk

Phelps, Carissa 215 Tacoma Ave. S. Tacoma, WA 98402	G6 Hospitality, LLC
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**Superior Court of California, County of Alameda**  
**Rene C. Davidson Alameda County Courthouse**

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B. Plaintiff/Petitioner(s)  VS.  G6 Hospitality, LLC	No. <u>RG19035936</u>  <b>NOTICE OF HEARING (AMENDED)</b>  Complex Determination Hearing on 11/20/2019 has been vacated and rescheduled.
Defendant/Respondent(s) (Abbreviated Title)	

To each party or to the attorney(s) of record for each party herein:  
 Notice is hereby given that the above-entitled action has been set for:  
 Complex Determination Hearing

You are hereby notified to appear at the following Court location on the date and time noted below:

Complex Determination Hearing:  
 DATE: 01/07/2020 TIME: 09:00 AM DEPARTMENT: 21  
 LOCATION: Administration Building, Fourth Floor  
 1221 Oak Street, Oakland

Pursuant to California Rules of Court, Rule 3.400 et seq. and Local Rule 3.250 (Unified Rules of the Superior Court, County of Alameda), the above-entitled matter is set for a Complex Litigation Determination Hearing and Initial Complex Case Management Conference.

Department 21 issues tentative rulings on DomainWeb ([www.alameda.courts.ca.gov/domainweb](http://www.alameda.courts.ca.gov/domainweb)). For parties lacking access to DomainWeb, the tentative ruling must be obtained from the clerk at (510) 267-6937. Please consult Rule 3.30(c) of the Unified Rules of the Superior Court, County of Alameda, concerning the tentative ruling procedures for Department 21.

Counsel or party requesting complex litigation designation is ordered to serve a copy of this notice on all parties omitted from this notice or brought into the action after this notice was mailed.

All counsel of record and any unrepresented parties are ordered to attend this Initial Complex Case Management Conference unless otherwise notified by the Court.

Failure to appear, comply with local rules or provide a Case Management Conference statement may result in sanctions. Case Management Statements may be filed by E-Delivery, by submitting directly to the E-Delivery Fax Number (510) 267-5732. No fee is charged for this service. For further information, go to **Direct Calendar Departments** at <http://apps.alameda.courts.ca.gov/domainweb>.

All motions in this matter to be heard prior to Complex Litigation Determination Hearing must be

scheduled for hearing in Department 21.

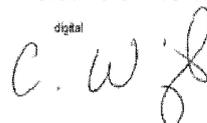
If the information contained in this notice requires change or clarification, please contact the courtroom clerk for Department 21 by e-mail at Dept.21@alameda.courts.ca.gov or by phone at (510) 267-6937.

TELEPHONIC COURT APPEARANCES at Case Management Conferences may be available by contacting CourtCall, an independent vendor, at least 3 business days prior to the scheduled conference. Parties can make arrangements by calling (888) 882-6878, or faxing a service request form to (888) 883-2946. This service is subject to charges by the vendor.

Dated: 11/04/2019

Chad Finke Executive Officer / Clerk of the Superior Court

By

<sup>digital</sup>  


Deputy Clerk

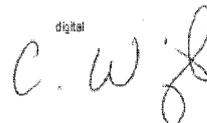
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**CLERK'S CERTIFICATE OF MAILING**

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Executed on 11/04/2019.

By

<sup>digital</sup>  


Deputy Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Carissa Phelps (Cal Bar #264044)</b> 316 S Baylen Street, Suite 600 Pensacola, Florida 32502  TELEPHONE NO.: 850-435-7153 FAX NO.(Optional): 850-436-6153  EMAIL ADDRESS (Optional): cphelps@levinlaw.com, bscott@levinlaw.com  ATTORNEY FOR (Name): J.B., an individual	<i>FOR COURT USE ONLY</i>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA</b> CENTRAL DIVISION, SMALL CLAIMS, 330 W. BROADWAY, SAN DIEGO, CA 92101	
PLAINTIFF(S) <b>J.B., an individual</b>	
DEFENDANT(S) <b>G6 Hospitality, LLC, et al.</b>	
<b>APPLICATION, DECLARATION, AND ORDER TO SERVE THE SECRETARY OF STATE</b>	CASE NUMBER <b>RG19035936</b>

#### APPLICATION

Plaintiff J.B., an individual requests that the court issue an order permitting service on the Office of the Secretary of State on behalf of defendant Mitchell Hotel, Inc. d/b/a Mitchell Hotel, a corporation/LLC, in the above-entitled action. This request is based on this declaration and the records or evidence on file with the court.

#### DECLARATION IN SUPPORT OF REQUEST

I am a plaintiff in this action. The defendant corporation/LLC is subject to the jurisdiction of this court because: California Code of Civil Procedure § 395(a)

Mailing by the Office of the Secretary of State to the defendant's address at: 1975 Mento Drive, Fremont, California 94539  
 \_\_\_\_\_ will accomplish actual notice to the corporation/LLC.

I have verified with the Office of the Secretary of State that:

- The defendant corporation/LLC has no designated agent for service of process nor any officers or agents in the State of California.
- The designated agent resigned and has not been replaced or is no longer authorized to act.
- The agent cannot with reasonable diligence be found at the address designated for personally delivering the process and that process against the defendant corporation/LLC cannot be served with reasonable diligence upon the designated agent by hand.
- Additional facts are stated on an attached declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 11/08/2019

/s/ Carissa Phelps

Signature of Declarant

#### ORDER

The court having considered the application and good cause appearing, IT IS SO ORDERED:

- That the plaintiff's claim be personally delivered to the Secretary of State and service accepted on behalf of defendant \_\_\_\_\_, a corporation/LLC that has been doing business in the State of California but has not designated an agent for service of process, and has no corporate officers or agents located in the State of California.
- That the Secretary of State shall promptly give notice to the above-referenced defendant corporation/LLC by serving a copy of this order and the plaintiff's claim filed against the defendant corporation/LLC at the following address:  
 \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
 Judge/Commissioner of the Superior Court

FILED BY FAX

ALAMEDA COUNTY

CM-020

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Carissa Phelps (Cal Bar #264044) 316 S. Baylen Street, Suite 600 Pensacola, Florida 32502  TELEPHONE NO.: 850-435-7153 FAX NO. (Optional): 850-436-6153 E-MAIL ADDRESS (Optional): cphelps@levinlaw.com, bscott@levinlaw.com ATTORNEY FOR (Name): J.B., an individual	<b>FOR COURT USE ONLY</b> November 12, 2019  CLERK OF THE SUPERIOR COURT By Xian-xii Bowie, Deputy  CASE NUMBER: <b>RG19035936</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda</b> STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: CITY AND ZIP CODE: Oakland, California 94612 BRANCH NAME: Rene C. Davidson Courthouse	CASE NUMBER:  <b>RG19035936</b>
PLAINTIFF/PETITIONER: J.B., an individual  DEFENDANT/RESPONDENT: G6 Hospitality, LLC, et al.	HEARING DATE: 01/07/2020 DEPT.: 21 TIME: 9:00 am

**EX PARTE APPLICATION FOR EXTENSION OF TIME TO SERVE PLEADING AND  ORDER EXTENDING TIME TO SERVE AND  ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

**Note: This ex parte application will be considered without a personal appearance. (See Cal. Rules of Court, rule 3.1207(2).)**

1. Applicant (name): J.B., an individual

is

- a.  plaintiff  
 b.  cross-complainant  
 c.  petitioner  
 d.  defendant  
 e.  cross-defendant  
 f.  respondent  
 g.  other (describe):

2. The complaint or other initial pleading in this action was filed on (date): 09/19/2019

3. Applicant requests that the court grant an order extending time for service of the following pleading:

- a.  Complaint  
 b.  Cross-complaint  
 c.  Petition  
 d.  Answer or other responsive pleading  
 e.  Other (describe):

4. Service and filing of the pleading listed in item 3 is presently required to be completed by (date): 11/17/2019

5. Previous applications, orders, or stipulations for an extension of time to serve and file in this action are:

- a.  None  
 b.  The following (describe all, including the length of any previous extensions):

6. Applicant requests an extension of time to serve and file the pleading listed in item 3 on the following parties (name each):

Mitchell Hotel, Inc. d/b/a Mitchell Hotel

CM-020

CASE NAME: J.B., and individual v. G6 Hospitality, LLC, et al.	CASE NUMBER: RG19035936
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7. The pleading has not yet been filed and served on the parties listed in item 6 for the following reasons *(describe the efforts that have been made to serve the pleading and why service has not been completed)*:

The address listed for the registered agent is no longer associated with the agent or Mitchell Hotel. An attempt to serve was made on the hotel, however it is now closed. Upon further research, it was found...

Continued on Attachment 7.

8. An extension of time to serve and file the pleading should be granted for the following reasons:

We respectfully request an extension of time to serve and file the Summons and Complaint to Mitchell Hotel, Inc. d/b/a Mitchell Hotel via the California Secretary of State as well as the alternate address located through the Accessors office.

Continued on Attachment 8.

9. If an extension of time is granted, filing and service on the parties listed in item 6 will be completed by *(date)*:

November 25, 2019

10. Notice of this application under rules 3.1200–3.1207  has been provided as required *(describe all parties or counsel to whom notice was given; the date, time, and manner of giving notice; what the parties or counsel were told and their responses; and whether opposition is expected)* or  is not required *(state reasons)*:

Rule 3.1204(b)(3) we are unable to locate aforementioned party to service notice of this request for extension.

Continued on Attachment 10.

11. Number of pages attached: 5

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 11/08/2019

Carrisa Phelps, Esq.

(TYPE OR PRINT NAME OF APPLICANT OR ATTORNEY FOR APPLICANT)



/s/ Carissa Phelps

(SIGNATURE OF APPLICANT OR ATTORNEY FOR APPLICANT)

Order on Application is  below  on a separate document.

#### ORDER

1. The application for an order extending time to serve and file the pleading is  granted  denied.

2. The pleading must be served and filed no later than *(date)*:

3.  The case management conference is rescheduled to:

a. Date:

b. Time:

c. Place:

4. Other orders:

5. A copy of this application and order must be served on all parties or their counsel that have appeared in the case.

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

Attached to: Motion CM-020  
J.B. v. G6 Hospitality, LLC, et. al.

EX PARTE APPLICATION FOR EXTENSION OF TIME TO SERVE PLEADING AND  
ORDER EXTENDING TIME TO SERVE

**CONT'D FROM PREVIOUS PAGE**

...that the last and only known Registered Agent, Roland M. Porter, is now deceased. We have located an alternate possible address for the owners of the property in question.

The name, address, and telephone number of plaintiff's attorney:

Carissa Phelps (Cal Bar 264004)

316 S Baylen Street, Suite 600, Pensacola, Florida 32502, phone: 850-435-7153

Attached to: Motion CM-020  
J.B. v. G6 Hospitality, LLC, et. al.

**Brianna Scott**

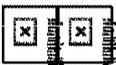
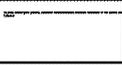
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**From:** Roland Process Service <service@rolandinvestigations.com>  
**Sent:** Thursday, November 07, 2019 3:38 PM  
**To:** Brianna Scott  
**Subject:** Re: LP# 175419

**CAUTION:** This email message is **EXTERNAL**.

Got it, thank you.  
Anthoula

 Data Entry Specialist | Roland Process Service & Investigations LLC  
(800) 778-1183 | (720) 306-3498 | [Email](#)  
[Website](#)  
1660 S Albion St Suite 204 Denver, CO 80222

On Thu, Nov 7, 2019 at 2:06 PM Brianna Scott <[bscott@levinlaw.com](mailto:bscott@levinlaw.com)> wrote:

Mitchell Hotel  
2321 International Boulevard  
Oakland, CA 94601

**Brianna Scott**  
*Paralegal*

*Human Trafficking Department*

*BP Department*  
Levin, Papantonio, Thomas, Mitchell,  
Rafferty & Proctor, P.A.  
316 S. Baylen Street, Suite 600  
Pensacola, FL 32502-5996

850.435.7153 (office)

850.436.6153 (fax)  
[bscott@levinlaw.com](mailto:bscott@levinlaw.com)



THE INFORMATION CONTAINED IN THIS TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, DO NOT READ IT. PLEASE IMMEDIATELY REPLY TO THE SENDER THAT YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR. THEN DELETE IT. THANK YOU.

**From:** Roland Process Service [mailto:service@rolandinvestigations.com]  
**Sent:** Thursday, November 07, 2019 2:43 PM  
**To:** Brianna Scott  
**Subject:** LP# 175419

**CAUTION:** This email message is **EXTERNAL**.

Mitchell Hotel Inc d/b/a Mitchell Hotel 171 12th St., Okalnd is was deemed a "bad address" it is an American Indian Modeling School

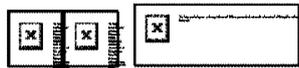
Do you have another address for us to attempt?

Anthoula



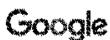
Data Entry Specialist | Roland Process Service & Investigations LLC

(800) 778-1183 | (720) 306-3498 | [Email](#)  
[Website](#)  
1660 S Albion St Suite 204 Denver, CO 80222



11/8/2019

mitchell hotel oakland ca - Google Search



mitchell hotel oakland ca



Sign in

All Maps Images News Shopping More Settings Tools

About 5,990,000 results (0.70 seconds)

Top 10 Best Mitchell Hotel in Oakland, CA - Last Updated ...

https://www.yelp.com › search › find\_loc=Oakland,+CA

Reviews on Mitchell Hotel in Oakland, CA - Courtyard Oakland Downtown, Rosenblum Cellars, ... Hotels. 3020 Cabrillo Hwy N, Half Moon Bay. All Results ...

Mitchell Hotel 2321 International Blvd, Oakland, CA 94601 ...

https://www.yellowpages.com › CA › Oakland

Get reviews, hours, directions, coupons and more for Mitchell Hotel. Search for other Motels on The Real Yellow Pages®.

Mitchell Hotel - Oakland, California - Hotel | Facebook

https://www.facebook.com › Places › Oakland, California › Hotel

Phone, (510) 261-3807 · Address, 2321 International Blvd; Oakland, California 94601 ... Mitchell Hotel, Oakland, California. 1 like · 10 were here. Hotel.

2317-2327 International Blvd, Oakland, CA, 94601 - Economy ...

https://www.loopnet.com › Listing › 2317-2327-International-Blvd-Oakla...

Nov 16, 2016 - Mitchell Hotel - 2317-2327 International Blvd, Oakland, CA. This 11169 SF Hotel & Motel is for sale on LoopNet.com. Well maintained 3-story ...

Mitchell Hotel, Oakland - CA | Roadtrippers

https://maps.roadtrippers.com › ... › California › Oakland › Accommodation

Oakland, California, USA, 2,030.8 mi ... Clarion Hotel Downtown Oakland City Center, 371 13Th Street ... Homewood Suites by Hilton - Oakland Waterfront.

Mitchell Hotel in Oakland, CA - HotelMotels.info

https://www.hotelmotels.info › California › Oakland › MitchellHotel

Mitchell Hotel is located in Oakland, CA. This is the only Mitchell Hotel location in Oakland. Address, Mitchell Hotel, 2321 International Blvd Oakland, CA-94601.

Mitchell Hotel, Alameda - Place Lookup

https://www.placelookup.net › California › Service › Hotel › Oakland

Mitchell Hotel is located in Oakland city of California state. On the street of International Boulevard and street number is 2321. To communicate or ask something ...

Who lives at 2321 International Blvd, Oakland CA | Rehold

https://rehold.com › ... › 2321 International Boulevard

Residents at 2321 International Blvd, Oakland CA: Mitchell Hotel (510) 261-3807, Bhisma Patel (510) 261-3807, Hasmukhbhai B Patel (510) 261-3807.

Mitchell Hotel @ 2321 International Blvd - Oakland, CA 94601 ...

www.where2goOakland.com › places › 807170-Mitchell-Hotel

Mitchell Hotel @ 2321 International Blvd - Oakland, CA 94601.

Mitchell Hotel, 2321 International Blvd, Oakland, Alameda ...

https://california.hotel-us.org › 47765-mitchell\_hotel

Mitchell Hotel is located at the address 2321 International Blvd in Oakland, California 94601-1018. The Owner is Patel Hasmukh who can be contacted at ...

1 2 3 4 5 6 7 8 9 10 Next

32501, Pensacola, FL - From your Internet address - Use precise location - Learn more

Help Send feedback Privacy Terms



Permanently closed

Mitchell Hotel

Directions Save

2.5 6 Google reviews

Hotel

Address: 2321 International Blvd, Oakland, CA 94601

Phone: (510) 261-3807

Reviews

6 Google reviews

View all reviews

People also search for

Broadway Motel Oakland Hotel	Holiday Motel	Travis Lodge Motel 16 Motel

Help improve accuracy

Provide feedback

**Brianna Scott**

---

**From:** Steve Lockman  
**Sent:** Thursday, November 07, 2019 5:06 PM  
**To:** Brianna Scott  
**Cc:** Kathryn Avila; Kimberly Adams  
**Subject:** RE: 175419: URGENT - Mitchell Hotel - LP # 175419  
**Attachments:** PORTER, Roland Miller - TLO Comprehensive Report 11072019.pdf; Roland Miller Porter #69290 - California Attorney Licensee Search - DISBARRED.pdf; Roland Porter Obituary - Jackson, TN - The Jackson Sun 02082018.pdf

NO MATCH by name (Robert M. Porter) or the former address of the Registered Agent. No noted change in the old address into a new or renamed address.

A review of the corporate documents noting the resignation of the Registered Agent was actually signed by **ROLAND M. PORTER**, not Robert M. Porter.

A search for Roland M. Porter and the previously provided address resulted in the following and the attached:

**ROLAND MILLER PORTER (DECEASED)**  
14 Chip Oak Drive  
Medon, TN 38356-8128

- **DOB:** 08/20/1936
- **DOD:** 02/08/2018; known to have died within the 38356 zip code
- **SSN:** 414-50-8395
- **This subject was a licensed CA attorney and was disbarred (01/29/1986)**

I think we should try service, if possible, on the California Secretary of State.

Respectfully.

---

**From:** Brianna Scott  
**Sent:** Thursday, November 07, 2019 3:17 PM  
**To:** Steve Lockman  
**Cc:** Kathryn Avila; Kimberly Adams  
**Subject:** 175419: URGENT - Mitchell Hotel - LP # 175419  
**Importance:** High

Steve I need alternate addresses. The address from 1982 we had for the registered agent is now an American Indian Modeling School, and the hotel is permanently closed. I need to get service out ASAP.

**Brianna Scott**  
*Paralegal*  
*Human Trafficking Department*  
*BP Department*  
Levin, Papantonio, Thomas, Mitchell,  
Rafferty & Proctor, P.A.  
316 S. Baylen Street, Suite 600  
Pensacola, FL 32502-5996  
850.435.7153 (office)  
850.436.6153 (fax)  
[bscott@levinlaw.com](mailto:bscott@levinlaw.com)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Carissa Phelps (Cal Bar #264044)</b> 316 S Baylen Street, Suite 600 Pensacola, Florida 32502  TELEPHONE NO.: 850-435-7153 FAX NO. (Optional): 850-436-6153  EMAIL ADDRESS (Optional): cphelps@levinlaw.com, bscott@levinlaw.com  ATTORNEY FOR (Name): J.B., and individual	FOR COURT USE ONLY          CASE NUMBER RG19035936
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA CENTRAL DIVISION, SMALL CLAIMS, 330 W. BROADWAY, SAN DIEGO, CA 92101	
PLAINTIFF(S) J.B., an individual	
DEFENDANT(S) G6 Hospitality, LLC, et al.	
APPLICATION, DECLARATION, AND ORDER TO SERVE THE SECRETARY OF STATE	

**APPLICATION**

Plaintiff J.B., an individual requests that the court issue an order permitting service on the Office of the Secretary of State on behalf of defendant Kantilal & Raj. Katri d/b/a Economy Inn, a corporation/LLC, in the above-entitled action. This request is based on this declaration and the records or evidence on file with the court.

**DECLARATION IN SUPPORT OF REQUEST**

I am a plaintiff in this action. The defendant corporation/LLC is subject to the jurisdiction of this court because: California Code of Civil Procedure § 395(a)

Mailing by the Office of the Secretary of State to the defendant's address at: 122 E 12th Street, Oakland, California 94606 will accomplish actual notice to the corporation/LLC.

I have verified with the Office of the Secretary of State that:

- The defendant corporation/LLC has no designated agent for service of process nor any officers or agents in the State of California.
- The designated agent resigned and has not been replaced or is no longer authorized to act.
- The agent cannot with reasonable diligence be found at the address designated for personally delivering the process and that process against the defendant corporation/LLC cannot be served with reasonable diligence upon the designated agent by hand.
- Additional facts are stated on an attached declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 11/14/2019 /s/ Carissa Phelps  
 \_\_\_\_\_ Signature of Declarant

**ORDER**

The court having considered the application and good cause appearing, IT IS SO ORDERED:

1. That the plaintiff's claim be personally delivered to the Secretary of State and service accepted on behalf of defendant \_\_\_\_\_, a corporation/LLC that has been doing business in the State of California but has not designated an agent for service of process, and has no corporate officers or agents located in the State of California.
2. That the Secretary of State shall promptly give notice to the above-referenced defendant corporation/LLC by serving a copy of this order and the plaintiff's claim filed against the defendant corporation/LLC at the following address:  
 \_\_\_\_\_

Date: \_\_\_\_\_  
 \_\_\_\_\_ Judge/Commissioner of the Superior Court

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Carissa Phelps (Cal Bar #264044) 316 S Baylen Street, Suite 600 Pensacola, Florida 32502  TELEPHONE NO.: 850-435-7153 FAX NO. (Optional): 850-436-6153  EMAIL ADDRESS (Optional): cphelps@levinlaw.com, bscott@levinlaw.com  ATTORNEY FOR (Name): J.B., and individual	<i>FOR COURT USE ONLY</i>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA</b> CENTRAL DIVISION, SMALL CLAIMS, 330 W. BROADWAY, SAN DIEGO, CA 92101	
PLAINTIFF(S) <u>J.B., an individual</u>	
DEFENDANT(S) <u>G6 Hospitality, LLC, et al.</u>	
<b>APPLICATION, DECLARATION, AND ORDER TO SERVE THE SECRETARY OF STATE</b>	CASE NUMBER RG19035936

## APPLICATION

Plaintiff J.B., an individual requests that the court issue an order permitting service on the Office of the Secretary of State on behalf of defendant G. A. Patel Trust 2000 d/b/a Holiday Motel, a corporation/LLC, in the above-entitled action. This request is based on this declaration and the records or evidence on file with the court.

## DECLARATION IN SUPPORT OF REQUEST

I am a plaintiff in this action. The defendant corporation/LLC is subject to the jurisdiction of this court because: California Code of Civil Procedure § 395(a)

Mailing by the Office of the Secretary of State to the defendant's address at: 4474 MacArthur Boulevard, Oakland, California 94619 will accomplish actual notice to the corporation/LLC.

I have verified with the Office of the Secretary of State that:

- The defendant corporation/LLC has no designated agent for service of process nor any officers or agents in the State of California.
- The designated agent resigned and has not been replaced or is no longer authorized to act.
- The agent cannot with reasonable diligence be found at the address designated for personally delivering the process and that process against the defendant corporation/LLC cannot be served with reasonable diligence upon the designated agent by hand.
- Additional facts are stated on an attached declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

correct. Date: 11/14/2019

/s/ Carissa Phelps

Signature of Declarant

## ORDER

The court having considered the application and good cause appearing, IT IS SO ORDERED:

- That the plaintiff's claim be personally delivered to the Secretary of State and service accepted on behalf of defendant \_\_\_\_\_, a corporation/LLC that has been doing business in the State of California but has not designated an agent for service of process, and has no corporate officers or agents located in the State of California.
- That the Secretary of State shall promptly give notice to the above-referenced defendant corporation/LLC by serving a copy of this order and the plaintiff's claim filed against the defendant corporation/LLC at the following address:  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge/Commissioner of the Superior Court

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Carissa Phelps (Cal Bar #264044)</b> 316 S Baylen Street, Suite 600 Pensacola, Florida 32502  TELEPHONE NO.: 850-435-7153 FAX NO.(Optional): 850-436-6153  EMAIL ADDRESS (Optional): cphelps@levinlaw.com, bscott@levinlaw.com  ATTORNEY FOR (Name): J.B., and individual	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA CENTRAL DIVISION, SMALL CLAIMS, 330 W. BROADWAY, SAN DIEGO, CA 92101	
PLAINTIFF(S) J.B., an individual	
DEFENDANT(S) G6 Hospitality, LLC, et al.	
APPLICATION, DECLARATION, AND ORDER TO SERVE THE SECRETARY OF STATE	CASE NUMBER RG19035936

**APPLICATION**

Plaintiff J.B., an individual requests that the court issue an order permitting service on the Office of the Secretary of State on behalf of defendant Kairos Unlimited Counseling Service, a corporation/LLC, in the above-entitled action. This request is based on this declaration and the records or evidence on file with the court.

**DECLARATION IN SUPPORT OF REQUEST**

I am a plaintiff in this action. The defendant corporation/LLC is subject to the jurisdiction of this court because: California Code of Civil Procedure § 395(a)

Mailing by the Office of the Secretary of State to the defendant's address at: 5631 Buena Vista Avenue, Oakland, California 94618 will accomplish actual notice to the corporation/LLC.

I have verified with the Office of the Secretary of State that:

- The defendant corporation/LLC has no designated agent for service of process nor any officers or agents in the State of California.
- The designated agent resigned and has not been replaced or is no longer authorized to act.
- The agent cannot with reasonable diligence be found at the address designated for personally delivering the process and that process against the defendant corporation/LLC cannot be served with reasonable diligence upon the designated agent by hand.
- Additional facts are stated on an attached declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

correct. Date: 11/14/2019

/s/ Carissa Phelps

Signature of Declarant

**ORDER**

The court having considered the application and good cause appearing, IT IS SO ORDERED:

1. That the plaintiff's claim be personally delivered to the Secretary of State and service accepted on behalf of defendant \_\_\_\_\_, a corporation/LLC that has been doing business in the State of California but has not designated an agent for service of process, and has no corporate officers or agents located in the State of California.
2. That the Secretary of State shall promptly give notice to the above-referenced defendant corporation/LLC by serving a copy of this order and the plaintiff's claim filed against the defendant corporation/LLC at the following address:  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge/Commissioner of the Superior Court

FILED BY FAX

ALAMEDA COUNTY

CM-020

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Carissa Phelps (Cal Bar #264044) 316 S. Baylen Street, Suite 600 Pensacola, Florida 32502  TELEPHONE NO.: 850-435-7153 FAX NO. (Optional): 850-436-6153 E-MAIL ADDRESS (Optional): cphelps@levinlaw.com, bscott@levinlaw.com ATTORNEY FOR (Name): J.B., an individual	<b>FOR COURT USE ONLY</b> November 15, 2019  CLERK OF THE SUPERIOR COURT By Xian-xii Bowie, Deputy  CASE NUMBER: <b>RG19035936</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda</b> STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: CITY AND ZIP CODE: Oakland, California 94612 BRANCH NAME: Rene C. Davidson Courthouse	CASE NUMBER:  <b>RG19035936</b>
PLAINTIFF/PETITIONER: J.B., an individual  DEFENDANT/RESPONDENT: G6 Hospitality, LLC, et al.	HEARING DATE: 01/07/2020 DEPT.: 21 TIME: 9:00 am
<b>EX PARTE APPLICATION FOR EXTENSION OF TIME TO SERVE PLEADING AND <input checked="" type="checkbox"/> ORDER EXTENDING TIME TO SERVE AND <input type="checkbox"/> ORDER CONTINUING CASE MANAGEMENT CONFERENCE</b>	
<b>Note: This ex parte application will be considered without a personal appearance. (See Cal. Rules of Court, rule 3.1207(2).)</b>	

1. Applicant (name): J.B., an individual

is

- a.  plaintiff  
 b.  cross-complainant  
 c.  petitioner  
 d.  defendant  
 e.  cross-defendant  
 f.  respondent  
 g.  other (describe):

2. The complaint or other initial pleading in this action was filed on (date): 09/19/2019

3. Applicant requests that the court grant an order extending time for service of the following pleading:

- a.  Complaint  
 b.  Cross-complaint  
 c.  Petition  
 d.  Answer or other responsive pleading  
 e.  Other (describe):

4. Service and filing of the pleading listed in item 3 is presently required to be completed by (date): 11/17/2019

5. Previous applications, orders, or stipulations for an extension of time to serve and file in this action are:

- a.  None  
 b.  The following (describe all, including the length of any previous extensions):

6. Applicant requests an extension of time to serve and file the pleading listed in item 3 on the following parties (name each):

Gangaben A. Patel Trust 2000 d/b/a Holiday Motel, Kairos Unlimited Counseling Services, and Kantilal Katri and Rajeshkumar Katri d/b/a Economy Inn

CM-020

CASE NAME: J.B., an individual v. G6 Hospitality, LLC, et al.	CASE NUMBER: RG19035936
--	----------------------------

7. The pleading has not yet been filed and served on the parties listed in item 6 for the following reasons *(describe the efforts that have been made to serve the pleading and why service has not been completed)*:

After numerous attempts via process server to preform service of the complaint, we have been unable to complete service due to the party who is to accept service on behalf of the company being unreachable.

Continued on Attachment 7.

8. An extension of time to serve and file the pleading should be granted for the following reasons:

We respectfully request an extension of time to serve and file the Summons and Complaint to Gangaben A. Patel Trust 2000 d/b/a Holiday Motel, Karios Unlimited Counseling Services, and Kantilal Katri and Rajeshkumar Katri d/b/a Economy Inn via the California Secretary of State.

Continued on Attachment 8.

9. If an extension of time is granted, filing and service on the parties listed in item 6 will be completed by *(date)*:

December 31, 2019

10. Notice of this application under rules 3.1200–3.1207  has been provided as required *(describe all parties or counsel to whom notice was given; the date, time, and manner of giving notice; what the parties or counsel were told and their responses; and whether opposition is expected)* or  is not required *(state reasons)*:

Rule 3.1204(b)(3) we are unable to locate aforementioned party to service notice of this request for extension.

Continued on Attachment 10.

11. Number of pages attached: \_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: November 14, 2019

Carrisa Phelps, Esq.  
(TYPE OR PRINT NAME OF APPLICANT OR ATTORNEY FOR APPLICANT)

 /s/ Carissa Phelps  
(SIGNATURE OF APPLICANT OR ATTORNEY FOR APPLICANT)

Order on Application is  below  on a separate document.

#### ORDER

1. The application for an order extending time to serve and file the pleading is  granted  denied.

2. The pleading must be served and filed no later than *(date)*:

3.  The case management conference is rescheduled to:

a. Date:

b. Time:

c. Place:

4. Other orders:

5. A copy of this application and order must be served on all parties or their counsel that have appeared in the case.

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

Brianna Scott 8504366153

(03/07) 11/14/2019 07:02:0

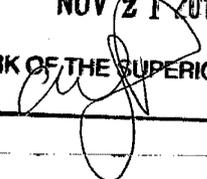


ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
 Carissa Phelps (Cal Bar #264044)  
 316 S. Baylen Street, Suite 600  
 Pensacola, Florida 32502

TELEPHONE NO.: 850-435-7153 FAX NO. (Optional): 850-436-6153  
 E-MAIL ADDRESS (Optional): cphelps@levinlaw.com, bscott@levinlaw.com  
 ATTORNEY FOR (Name): J.B., an individual

**FILED**  
**ALAMEDA COUNTY**

NOV 21 2019

CLERK OF THE SUPERIOR COURT  
 By  Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda  
 STREET ADDRESS: 1225 Fallon Street  
 MAILING ADDRESS:  
 CITY AND ZIP CODE: Oakland, California 94612  
 BRANCH NAME: Rene C. Davidson Courthouse

PLAINTIFF/PETITIONER: J.B., an individual  
 DEFENDANT/RESPONDENT: G6 Hospitality, LLC, et al.

**EX PARTE APPLICATION FOR EXTENSION OF TIME TO SERVE PLEADING AND  ORDER EXTENDING TIME TO SERVE AND  ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

CASE NUMBER:  
 RG19035936

Note: This ex parte application will be considered without a personal appearance. (See Cal. Rules of Court, rule 3.1207(2).)

HEARING DATE: 01/07/2020  
 DEPT.: 21 TIME: 9:00 am

1. Applicant (name): J.B., an individual

- is
- a.  plaintiff
  - b.  cross-complainant
  - c.  petitioner
  - d.  defendant
  - e.  cross-defendant
  - f.  respondent
  - g.  other (describe):

2. The complaint or other initial pleading in this action was filed on (date): 09/19/2019

3. Applicant requests that the court grant an order extending time for service of the following pleading:

- a.  Complaint
- b.  Cross-complaint
- c.  Petition
- d.  Answer or other responsive pleading
- e.  Other (describe):

4. Service and filing of the pleading listed in item 3 is presently required to be completed by (date): 11/17/2019

5. Previous applications, orders, or stipulations for an extension of time to serve and file in this action are:

- a.  None
- b.  The following (describe all, including the length of any previous extensions):

6. Applicant requests an extension of time to serve and file the pleading listed in item 3 on the following parties (name each):

Gangaben A. Patel Trust 2000 d/b/a Holiday Motel, Kairos Unlimited Counseling Services, and Kantilal Katri and Rajeshkumar Katri d/b/a Economy Inn

Brianna Scott 8504366153

(04/07) 11/14/2019 07:02:28 PM

CM-020

CASE NAME: J.B., an individual v. G6 Hospitality, LLC, et al.	CASE NUMBER: RG19035936
--	----------------------------

7. The pleading has not yet been filed and served on the parties listed in item 6 for the following reasons *(describe the efforts that have been made to serve the pleading and why service has not been completed)*:

After numerous attempts via process server to preform service of the complaint, we have been unable to complete service due to the party who is to accept service on behalf of the company being unreachable.

Continued on Attachment 7.

8. An extension of time to serve and file the pleading should be granted for the following reasons:

We respectfully request an extension of time to serve and file the Summons and Complaint to Gangaben A. Patel Trust 2000 d/b/a Holiday Motel, Karios Unlimited Counseling Services, and Kantilal Katri and Rajeshkumar Katri d/b/a Economy Inn via the California Secretary of State.

Continued on Attachment 8.

9. If an extension of time is granted, filing and service on the parties listed in item 6 will be completed by *(date)*:

December 31, 2019

10. Notice of this application under rules 3.1200–3.1207  has been provided as required *(describe all parties or counsel to whom notice was given; the date, time, and manner of giving notice; what the parties or counsel were told and their responses; and whether opposition is expected)* or  is not required *(state reasons)*:

Rule 3.1204(b)(3) we are unable to locate aforementioned party to service notice of this request for extension.

Continued on Attachment 10.

11. Number of pages attached: \_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: November 14, 2019

Carrisa Phelps, Esq.  
(TYPE OR PRINT NAME OF APPLICANT OR ATTORNEY FOR APPLICANT)

 /s/ Carrisa Phelps  
(SIGNATURE OF APPLICANT OR ATTORNEY FOR APPLICANT)

Order on Application is  below  on a separate document.

**ORDER**

1. The application for an order extending time to serve and file the pleading is  granted  denied.

2. The pleading must be served and filed no later than *(date)*:

3.  The case management conference is rescheduled to:

a. Date:

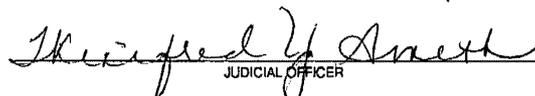
b. Time:

c. Place:

4. Other orders:

5. A copy of this application and order must be served on all parties or their counsel that have appeared in the case.

Date: November 21, 2019

  
JUDICIAL OFFICER