



Litigation Model Summary: City of Palm Bay vs. Human Trafficking Locations

Date: September 11th, 2024

Client: City of Palm Bay, Florida

Law Firm: The Law Offices of Travis R. Walker, P.A.

Subject: Representation of the City of Palm Bay in litigation against human trafficking locations and establishments involved in or facilitating human trafficking

Fee Arrangement: Contingency fee basis

Background and Purpose

Human trafficking has become a growing issue in many municipalities, including Palm Bay, Florida. The City of Palm Bay seeks legal representation to act against establishments that facilitate or are involved in human trafficking within the city. Similar to the opioid litigation pursued by various cities and states, this litigation model seeks to hold responsible parties accountable for contributing to a public health and safety crisis.

Objective

The goal of this litigation is to:

1. Hold businesses and entities accountable for knowingly facilitating human trafficking.
2. Seek injunctive relief to shut down or regulate establishments involved in trafficking activities.
3. Recover financial damages incurred by the City of Palm Bay as a result of human trafficking, including costs related to law enforcement, social services, and health care.
4. Establish deterrence for future violations.

Causes of Action

Based on legal strategies used in the opioid litigation, the following causes of action could be leveraged in this case:

1. Public Nuisance

Claim: The businesses or establishments involved in human trafficking have created a public nuisance by contributing to crime, violence, and public health issues in Palm Bay.

Relief Sought: Injunctive relief to close or impose restrictions on the operations of these businesses; financial compensation for the cost of law enforcement, healthcare, and other services provided by the city in response to human trafficking-related issues.

2. Negligence

Claim: The businesses failed to take reasonable measures to prevent human trafficking on their premises, contributing to the harm suffered by trafficking victims and the broader community.

Relief Sought: Damages for the city's economic costs in responding to the human trafficking crisis.



Causes of Action

3. Unjust Enrichment

Claim: The establishments have profited from illegal human trafficking activities, benefiting financially while the city bears the cost of addressing the harm caused by these operations.

Relief Sought: Restitution for unjust profits made by these establishments.

4. Civil RICO (Racketeer Influenced and Corrupt Organizations Act)

Claim: If the businesses engaged in a pattern of illegal activity, including human trafficking, they may be held liable under civil RICO statutes.

Relief Sought: Treble damages (triple the actual damages), legal fees, and other punitive measures against businesses involved in organized criminal activity.

5. Negligent or Intentional Misrepresentation

Claim: Businesses may have misrepresented the nature of their operations or failed to disclose known human trafficking activities occurring on their premises, misleading the city and law enforcement.

Relief Sought: Compensation for damage incurred by the city due to reliance on false or incomplete information.

6. Conspiracy

Claim: Entities and individuals may have conspired to facilitate human trafficking, violating federal and state anti-trafficking laws.

Relief Sought: Damages and penalties under federal and state anti-trafficking statutes, as well as civil penalties for conspiracy to commit illegal acts.

7. Fraud

Claim: Certain establishments may have engaged in fraudulent behavior to conceal trafficking operations, including falsifying business licenses or misrepresenting the nature of their business to authorities.

Relief Sought: Restitution for fraudulently obtained financial gains and punitive damages to deter further fraudulent practices.

Legal Strategy

1. Investigation and Evidence Gathering:

- Coordinate with local law enforcement and anti-human trafficking task forces to gather evidence of trafficking operations within specific businesses.
- Subpoena records, communications, and financial documents to establish a pattern of illegal activity.



Legal Strategy

2. Multifaceted Approach:

- Pursue both civil litigation and collaborate with criminal prosecutors, when possible, to maximize pressure on businesses engaged in human trafficking.
- File complaints in both state and federal court, depending on the specific claims.

3. Public Relations and Policy:

- Work with the City of Palm Bay to develop public awareness campaigns that align with the litigation, further deterring local businesses from engaging in or allowing trafficking operations.
- Propose policy reforms that complement the legal strategy, such as stricter local regulations for businesses in industries prone to trafficking.

Fee Arrangement

This litigation would be pursued on a contingency fee basis. The Law Offices of Travis R. Walker, P.A. will bear all upfront legal costs (filing fees, expert witnesses, investigations, etc.), with the understanding that compensation will be recovered from successful litigation, settlements, or judgments. The agreed-upon contingency fee percentage will be applied to any financial recovery obtained on behalf of the City of Palm Bay.

Next Steps

1. Engagement: Secure the City of Palm Bay's engagement and approval of the proposed litigation strategy.
2. Investigation: Begin the investigation phase, working closely with local authorities and experts to build a strong case.
3. Filing of Complaints: Once sufficient evidence is gathered, proceed with filing complaints in the appropriate courts.
4. Litigation: Engage in discovery, motion practice, and trial preparation, while remaining open to settlement discussions if they align with the city's goals.

Conclusion

This litigation strategy, modeled after successful opioid litigation tactics, is designed to hold businesses accountable for their role in perpetuating human trafficking within Palm Bay, while also providing financial relief to the city. By pursuing this case on a contingency fee basis, the City of Palm Bay can seek justice without bearing the financial risk of the litigation upfront.

Thank you,
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