

# EMERGING FRONTS IN SEX TRAFFICKING LITIGATION CONFERENCE

THE UNION LEAGUE OF PHILADELPHIA | MAY 12, 2026

**FROM VOIR DIRE TO VERDICT: SPECIAL ISSUES IN TRAFFICKING CASES**



**Margaret Jenks, Esq.**

Reilly, McDevitt  
& Henrich, P.C.  
Cherry Hill, NJ



**Christopher A. Nelson,  
Esq., CPCU**

Sr. Claim Consultant  
Nationwide, St. Paul, MN



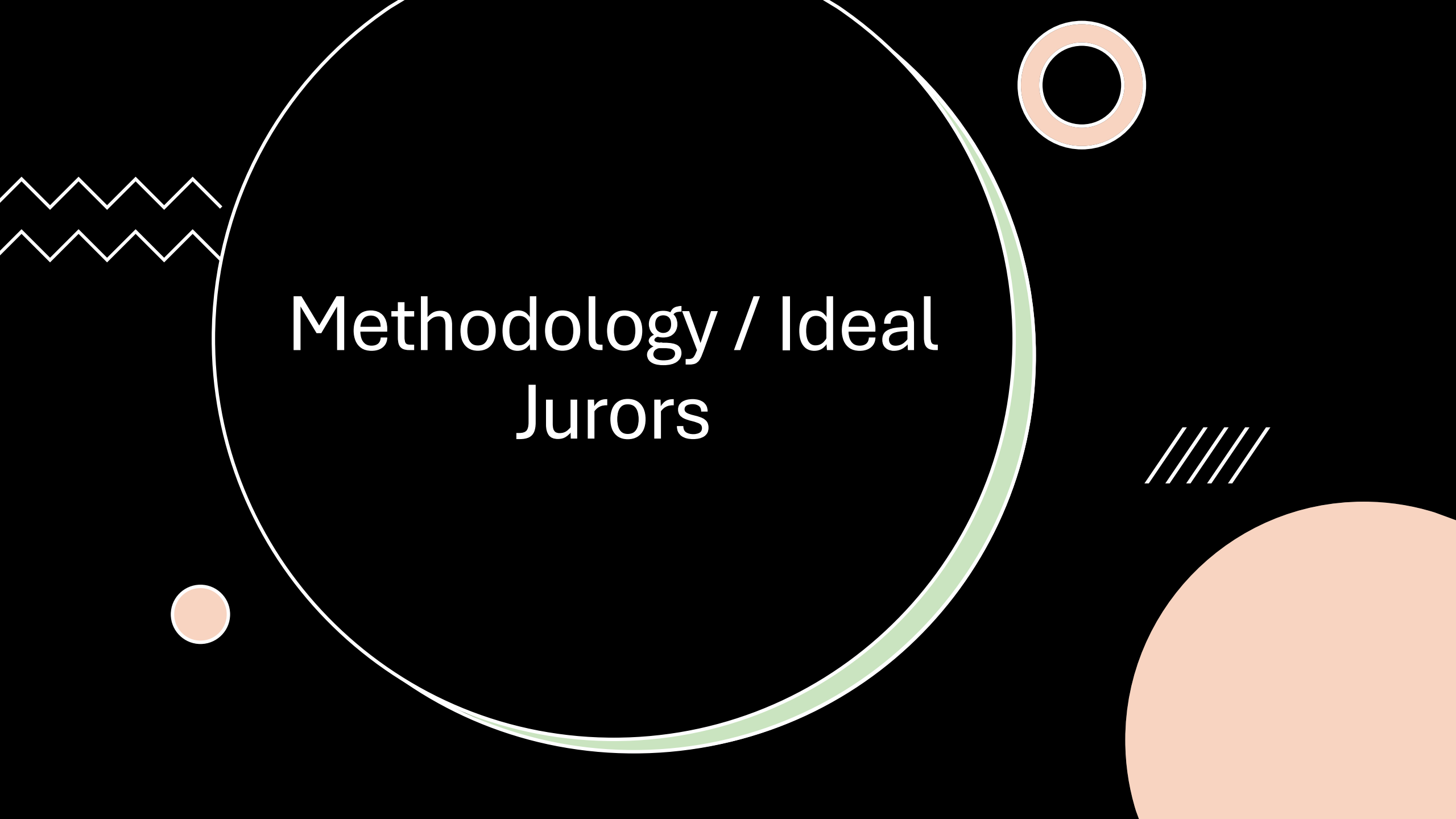
**Stewart Ryan, Esq.**

Laffey Bucci D'Andrea  
Reich & Ryan  
Philadelphia, PA



Picking a Jury

Federal versus  
State Court



# Methodology / Ideal Jurors



# Motions in Limine

Foundational Framework and Pertinent Issues

# Strategic Approach

Proactive versus Reactive

# Commonly Challenged Categories of Evidence

- Excluding Evidence of:
  - Financial Condition and Net Worth
  - Online Reviews
  - Social Media and Internet Commentary
  - Criminal History of Third Parties
  - Evidence of Unrelated Criminal Activity at the Hotel
  - Other lawsuits, complaints, or settlements
  - Expert testimony on trafficking “red flags”
  - Inflammatory language and imagery
  - Corporate policies and training evidence

# Excluding Evidence of Financial Condition and Net Worth



## **Defense Strategy on Financial Evidence**

Defendants seek to exclude financial evidence to prevent jury bias related to perceived ability to pay damages.

## **Relevance vs. Prejudice**

Courts weigh the minimal probative value of financial data against risks of unfair prejudice and jury bias under Rule 403.

## **Timing of Financial Evidence**

Courts often defer or bifurcate financial evidence presentation until after liability determination to avoid jury confusion.

## **Corporate Complexity Concerns**

Introducing financial data for franchisors or parent companies may confuse juries about corporate separateness and control.

Cases: State Farm v. Campbell; A.B. v. Marriott Int'l (E.D. Pa.)

## Motions *in Limine*

- Excluding Evidence of:
  - F.R.E. 412 (Rape Shield)
  - Other acts of CSE
  - Intimate Images or Advertising or Social Media
  - Lack of Criminal Charges or Conviction
  - Criminal History (of Plaintiffs or other witnesses)
  - “Secondary Exploitation”
- Introducing Evidence of:
  - Prior Bad Acts / System Failures
    - Individuals and Premises
  - Subsequent Remedial Measures

# Damages Evidence and Punitive Claims



## **Scope of Damages Evidence**

Motions in limine address emotional distress, future damages, and punitive damages evidence scope and presentation in trials.

## **Foundation for Future Damages**

Courts require plaintiffs to establish proper foundation for future damages and limit repetitive emotional harm testimonies.

## **Punitive Damages Exclusion**

Defendants often seek exclusion of punitive damages evidence without proof of willful or reckless conduct.

## **Impact on Trial Dynamics**

Pretrial rulings on damages shape trial proceedings and settlement strategies by controlling evidence admissibility.

Multiple Lawsuits



## Damages and IMEs

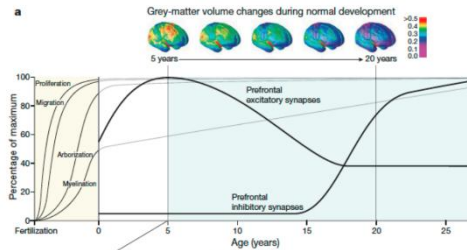
Defense IMEs

Precluding travel

Precluding exams



# Damages



Graphic timeline of brain development. While many aspects of brain development are completed by the first two years of life, inhibitory connections (synapses) from the prefrontal regions to other brain areas are formed almost entirely during adolescence. Risk taking, impulsivity, and intense emotionality are to some degree developmentally appropriate before these connections have fully formed. Traumatic stress that disrupts this process can lead to a variety of lifelong difficulties with planning, emotional regulation, and self-control. Image from [27]

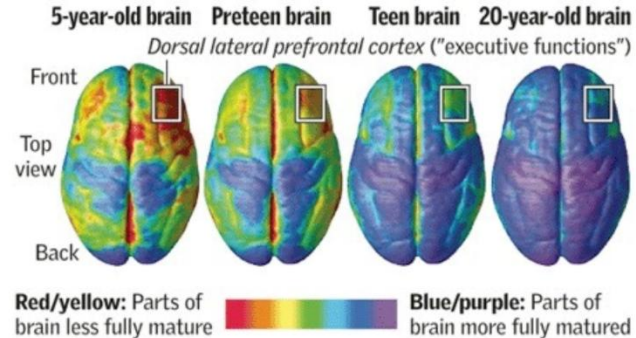


Figure 2 depicts neuroimaging scans of brains at different ages and shows how the blue/purple areas (i.e., more fully mature areas) gradually encompass most of brain, but not until 20 years old. [Note that the boxed area labeled *dorsal lateral prefrontal cortex*, is among the latest to mature. This is precisely the region involved in complex planning and evaluating long-term consequences.]

# Who to sue? Joint and Several Liability

# Neurobiology

# Life care planning

