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O'Melveny Acts as Pro Bono Counsel in Landmark Human Trafficking Case

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FOR IMMEDIATE RELEASE

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LOS ANGELES – November 3, 2009 – In a verdict that is believed to be the first ever issued under the California Trafficking Victims Protection Act, O'Melveny & Myers LLP and Bet Tzedek Legal Services won a complete victory in Los Angeles Superior Court for an Indonesian woman who was the victim of human trafficking at the hands of a wealthy Southern California family when a Los Angeles Superior Court jury awarded her US\$768,000, including US\$500,000 in punitive damages.

The victorious plaintiff, Suminarti Sayuti Yusuf, is an Indonesian woman who served as a domestic servant for a wealthy Southern California couple who confiscated her passport, withheld all pay, required her to work 16 hours a day for seven days a week, and never permitted her to leave the house to pray at a mosque or visit the Indonesian consulate. They subjected Yusuf to verbal abuse, psychological coercion, and instructed her to lie and say she was a family member if law enforcement ever visited the home. They

also told her that if she left the house she would be raped or arrested. Eventually, she managed to escape with the help of the Los Angeles County Sheriff.

The successful outcome is the result of a two-year collaboration between a team of lawyers from O'Melveny, who devoted hundreds of hours to the case on a pro bono basis, and Bet Tzedek, a non-profit legal services agency.

“The verdict sets a new standard for enforcement of this law and establishes precedent under a never-before litigated measure,” said O'Melveny Partner **Paul McNamara**, who served as trial co-counsel. “It is a clear indication that similar action will not be tolerated and that firms such as O'Melveny & Myers will bring their full resources to bear to attain justice for the downtrodden. On behalf of both the firm—which again finds itself at the forefront of the law—and my colleagues, who worked tirelessly on this case, we are enormously proud of the outcome and that Bet Tzedek sought our involvement in this important matter.”

The O'Melveny team was led by **McNamara** and included counsel **Bob Nicksin**, associates **Timothy Caballero**, **Jennifer Cheng**, and paralegal **Angelina Stone**.

Kevin Kish, Director of Bet Tzedek's Employment Rights Project, served as co-counsel. Additionally, the Coalition to Abolish Slavery and Trafficking (CAST) assisted Ms. Yusuf after she was freed.

About O'Melveny & Myers LLP

With approximately 1,000 lawyers in 14 offices worldwide, O'Melveny & Myers LLP helps industry leaders across a broad array of sectors manage the complex challenges of succeeding in the global economy. We are a values-driven law firm, guided by the principles of excellence, leadership, and citizenship. Our commitment to these values is reflected in our dedication to improving access to justice through pro bono work and championing initiatives that increase the diversity of the legal profession. For more information, please visit www.omm.com

About Bet Tzedek Legal Services

Founded in 1974, Bet Tzedek's mission is to ensure “equal justice for all.” One of the nation's premier public interest law firms, Bet Tzedek, “The House of Justice” in Hebrew, provides free legal services in matters involving consumer rights, elder law, housing, public benefits and workers' rights to low-income, disabled and elderly people of all racial and religious backgrounds. Each year, Bet Tzedek and its staff of approximately 60 serve nearly 12,000 clients in the Los Angeles area, augmented by 600 attorneys and paralegals who donate about 40,000 hours in time. Bet Tzedek is renowned as one of a handful of agencies in the world to offer free legal help to Holocaust survivors on a wide range of issues, including

reparations, pensions, and benefits offered by Germany and other European countries.

The following press release was recently distributed by Bet Tzedek:

NEWS FROM...

Bet Tzedek –The House of Justice

a nonprofit law center providing free legal representation to low-income, elderly and disabled residents of Los Angeles County

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BET TZEDEK AND O'MELVENY & MYERS PREVAIL IN LANDMARK CIVIL HUMAN TRAFFICKING TRIAL

Jury Returns Verdict Exceeding \$750,000 To Enslaved Domestic Worker; First Civil Case Prosecuted Under California Trafficking Victims Protection Act

LOS ANGELES (Nov. 2, 2009)—A jury in Los Angeles Superior Court awarded \$768,000, including \$500,000 in punitive damages, to a domestic worker who brought suit against her former employers under California's civil human trafficking statute, it was announced today by poverty law firm Bet Tzedek Legal Services, which prosecuted the case alongside pro bono counsel from O'Melveny & Myers LLP. The verdict is believed to be the first case adjudicated under Civil Code 52.5, the California Trafficking Victims Protection Act.

In early 2006, an Indonesian businessman brought plaintiff Suminarti Sayuti Yusuf to Los Angeles, where his son and daughter-in-law, defendants Andrew Tjia and his wife, Sycamore Choi, put Yusuf to work. According to Yusuf and the evidence presented at trial, Tjia and Choi confiscated Yusuf's passport, withheld all pay, required her to work 16-hour days, seven days a week, and never permitted her to leave the house to pray at a mosque or visit the Indonesian consulate. They subjected Yusuf to verbal abuse, psychological coercion and instructed Yusuf to lie and say she was a family member if law enforcement ever visited the Tjia residence.

Ultimately, Yusuf was able to notify an acquaintance in another state of her circumstances who, in turn, notified authorities. The authorities prosecuted the Tjias criminally. Tjia and Choi subsequently pleaded guilty to criminal human trafficking and false imprisonment charges setting the way for the civil action in which Yusuf prevailed at trial on all nine causes of action in the complaint, including the anti-trafficking statute. (The jury was not informed

of these convictions at the civil trial.)

“This jury’s decision resoundingly shows that the law worked and justice was delivered for the most poor, vulnerable and voiceless client,” said Kevin Kish, director of Bet Tzedek’s Employment Rights Project, who tried the case. “The award sends the clearest possible message that Ms. Yusuf was, pure and simple, the victim of slavery, and human trafficking in any form is unacceptable and will not be tolerated.”

O’Melveny Partner Paul McNamara, trial co-counsel, stated: “The verdict sets a new standard for enforcement of this law and establishes precedent under a never-before litigated measure. It is a clear indication that similar action will not be tolerated and that firms such as O’Melveny & Myers will bring their full resources to bear to attain justice for the downtrodden. On behalf of both the firm—which again finds itself at the forefront of the law—and my colleagues, who worked tirelessly on this case, we are enormously proud of the outcome and that Bet Tzedek sought our involvement in this important matter.”

“This outcome is enormously gratifying and reflects a seamless collaboration between Bet Tzedek and the unflagging commitment and support brought to bear by O’Melveny,” said Mitchell A. Kamin, Bet Tzedek president and CEO. “We cannot adequately express our appreciation to the O’Melveny team of Paul McNamara, as well as his colleagues Bob Nicksin, Timothy Caballero, Jennifer Cheng and Angelina Stone. Kevin Kish distinguished himself again through his trial advocacy and by upholding the very best ideals of Bet Tzedek.”

Jurors rejected out-of-hand the defense’s claims that Yusuf came to the U.S. voluntarily, was a guest in the Tjia residence and fabricated the enslavement story in order to obtain a T-Visa (reserved by the federal government for victims of trafficking and among the hardest immigration categories to qualify). Following her emancipation from the household by law enforcement, Yusuf was granted a T-Visa with the assistance of the Coalition to Abolish Slavery and Trafficking (CAST), which then referred the matter to Bet Tzedek for the civil action.

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