

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Jane Doe (A.L.H.) v. Wyndham Hotels & Resorts, Inc. et al.

Civil Action No. 25-00579 (SDW) (JRA) · No. Civil Action No. 25-00579 (SDW) (JRA) · Decided December 22, 2025

SUMMARY

The United States District Court for the District of New Jersey denied Defendants’ motion to dismiss an amended complaint asserting civil liability under the Trafficking Victims Protection Reauthorization Act. The court held that the plaintiff plausibly alleged beneficiary liability based on the defendants’ financial benefit, participation in trafficking-related ventures, and actual or constructive knowledge of sex trafficking. The court also held that the complaint plausibly alleged vicarious liability against the Wyndham defendants under common-law agency principles.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                  |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of New Jersey                                                                                                                                                                                                                                                                      |
| WRITING FOR THE COURT | Susan D. Wigenton                                                                                                                                                                                                                                                                                                                |
| JURISDICTION          | United States District Court for the District of New Jersey                                                                                                                                                                                                                                                                      |
| DECIDED               | December 22, 2025                                                                                                                                                                                                                                                                                                                |
| DOCKET                | Civil Action No. 25-00579 (SDW) (JRA)                                                                                                                                                                                                                                                                                            |
| DISPOSITION           | denied                                                                                                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE    | Defendants moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss Plaintiff’s amended complaint asserting civil claims under the Trafficking Victims Protection Reauthorization Act. The court denied the motion.                                                                                                       |
| STANDARD OF REVIEW    | On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, construes the complaint in the light most favorable to the plaintiff, and determines whether the complaint states a facially plausible claim for relief. Labels, conclusions, and formulaic recitations of the elements are insufficient. |
| PRECEDENTIAL VALUE    | unpublished_nonprecedential                                                                                                                                                                                                                                                                                                      |

TOPICS

- motions to dismiss
- civil rights
- commercial litigation
- civil procedure
- remedies

## PRACTICE AREAS

Civil procedure

Civil rights

Commercial litigation

Remedies

## QUESTIONS PRESENTED

1. Whether Plaintiff plausibly pleaded beneficiary liability under 18 U.S.C. § 1595(a) by alleging that Defendants knowingly benefited from participation in ventures that Defendants knew or should have known engaged in sex trafficking.
2. Whether Plaintiff plausibly pleaded that Wyndham Defendants may be vicariously liable under 18 U.S.C. § 1595(a) for the Franchisee Defendant's alleged TVPRA violations under common-law agency principles.
3. Whether Defendants waived any personal-jurisdiction defense by failing to assert it in their Rule 12 motion.

## HOLDINGS

1. Plaintiff adequately pleaded beneficiary liability under 18 U.S.C. § 1595(a). Her allegations that Defendants received financial benefits from room rentals, participated in ventures involving the hotel and traffickers, and knew or should have known of the sex trafficking were sufficient to survive a Rule 12(b)(6) motion.
2. Plaintiff adequately pleaded that the Franchisee Defendant acted as Wyndham Defendants' agent and that Wyndham Defendants could be vicariously liable for the Franchisee Defendant's alleged TVPRA violations.
3. Any personal-jurisdiction defense was waived because Defendants failed to raise lack of personal jurisdiction in their Rule 12 motion.

## KEY QUOTATIONS

*“To withstand a motion to dismiss under Rule 12(b)(6), “a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” (Section II)*

*“The hallmark of an agency relationship is that the principal has the right to control the manner in which the agent performs his duties.” (Section III.B)*

## FACTUAL BACKGROUND

Plaintiff alleged that she was trafficked at a La Quinta hotel in Miami, Florida, during a one-day period in January 2015. She alleged numerous observable indicators of sex trafficking, including a prepaid-card payment, repeated requests for towels and sheets, a do-not-disturb sign, approximately fourteen non-guest male visitors staying briefly in her room, and her trafficker dragging her through the hotel while she cried and screamed for help. She further alleged that Wyndham and the franchisee financially benefited from hotel operations, participated in ventures involving the hotel and traffickers, had policies requiring staff to report suspected trafficking, and exercised substantial control over hotel operations and employee training.

## PROCEDURAL HISTORY

Plaintiff filed her original complaint on January 16, 2025, and filed an amended complaint on April 21, 2025. The amended complaint asserted beneficiary liability and vicarious liability under the TVPRA. Defendants moved to dismiss on May 12, 2025; briefing was completed, and the court denied the motion without oral argument.

## DISPOSITION

denied

## CASES CITED

- Hull v. Global Digital Solutions, Inc., No. 16-5153, 2018 WL 4380999, at \*11 (D.N.J. Sept. 14, 2018)
- Myers v. American Dental Association, 695 F.2d 716, 720 (3d Cir. 1982)
- Ashcroft v. Iqbal, 556 U.S. 662, 678–79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Mayer v. Belichik, 605 F.3d 223, 229 (3d Cir. 2010)
- Jane Doe (C.J.) v. Albert Cotugno, Jr., No. 23-2973, 2024 WL 4500994, at \*3 n.6 (D.N.J. May 16, 2024)
- A.B. v. Marriott International, Inc., 455 F. Supp. 3d 171, 181, 196 (E.D. Pa. 2020)
- A.W. v. Red Roof Inns, Inc., No. 21-4934, 2022 WL 17741050, at \*6 (S.D. Ohio Dec. 16, 2022)
- A.B. v. Hilton Worldwide Holdings Inc., 484 F. Supp. 3d 921, 936, 939 (D. Or. 2020)
- Doe (K.R.D.) v. Wyndham Hotels & Resorts, Inc., No. 24-8174, 2025 WL 1166519, at \*3 (D.N.J. Apr. 21, 2025)
- M.A. v. Wyndham Hotels & Resorts, Inc., 425 F. Supp. 3d 959, 970 (S.D. Ohio 2019)
- Doe (M.J.J.) v. Wyndham Hotels & Resorts, Inc., No. 24-6490, 2025 WL 342092, at \*4 (D.N.J. Jan. 30, 2025)
- D.K. v. Red Roof Inns, Inc., No. 22-3786, 2024 WL 1332195, at \*5 (S.D. Ohio Mar. 28, 2024)
- In re Hotel TVPRA Litigation, No. 21-4933, 2024 WL 4945135 (S.D. Ohio Dec. 3, 2024)
- E.B. v. Howard Johnson by Wyndham Newark Airport, No. 21-2901, 2023 WL 12053001, at \*5–10 (D.N.J. Dec. 29, 2023)
- Doe v. Wyndham Hotels & Resorts, No. 23-01676, 2024 WL 3088722, at \*5 (E.D. Cal. June 20, 2024)
- L.H. v. Red Roof, Inc., No. 22-00625, 2023 WL 5725574 (W.D. Ky. Sept. 5, 2023)
- J.C. v. Choice Hotels International, Inc., 2020 WL 6318707, at \*8
- American Telephone & Telegraph Co. v. Winback & Conserve Program, Inc., 42 F.3d 1421, 1434 (3d Cir. 1994)
- Sears Mortgage Corp. v. Rose, 634 A.2d 74, 79 (N.J. 1993)
- Doe (P.B.) v. Wyndham Hotels & Resorts, Inc., No. 23-1493, 2023 WL 8890229, at \*5 (D.N.J. Dec. 26, 2023)