

Espinal et al. v. Ramco General Stores, Inc. et al. (SDNY 2007)

THE CLIENT: ACLU Women's Rights Project

THE CASE: The ACLU, along with the employment law firm Outten & Golden, filed a federal lawsuit on behalf of three immigrant women against the owner and operator of three retail stores in Upper Manhattan. While employed by the defendant, the plaintiffs were subjected to severe sexual harassment, physical assault, retaliation when the defendant's advances were rejected, and egregious wage violations.

THE TRIAL: DOAR experts worked side-by-side with the trial team to refine case themes, create compelling audio-visual demonstratives, and assist in digital discovery, trial presentation, and jury selection.

SPECIFIC CONTRIBUTIONS INCLUDED:

- Performed digital discovery that enhanced the sound quality of an audio recording of the defendant's harassment that was recorded by one of the plaintiffs. The enhanced audiotape captured obscenities that were not audible in the original muffled recording.
- Designed a synchronized, bilingual audio-visual graphic that enabled jurors to listen to the Spanish-language recording as the simultaneously read the English and Spanish transcription of the tape.
- Created floor plans of the stores' layout assisted jurors in envisioning the plaintiffs' working conditions and allowed each plaintiff to pinpoint the where they were groped by the defendant in his stores.
- DOAR consultants assisted in selecting a fair and impartial jury based on their years of experience in assessing individuals' reactions to case themes based on demographic profiles, life experiences, and non-verbal cues.
- Provided trial support, court technology, and trial monitoring.

THE OUTCOME: After a week-long trial, the jury found in favor of the plaintiffs awarding \$330,000 in compensatory damages for the indignities they suffered at the hands of the plaintiff, and \$125,000 in punitive damages for a total of \$455,000.

"The language barrier between the plaintiffs and the court presented us with a challenging opportunity to apply DOAR's full-range of consulting services in this controversial case. In partnership with DOAR's experts, the plaintiffs and the trial team were empowered with the tools to present an undeniably compelling case to the jury. It was an honor to be of service to these women who bravely fought for justice in federal court and won."

Amanda Reid

Jury Research & Analytical Graphics Consultant

“DOAR’s generous, pro bono support of the ACLU and the three victims of the defendant’s behavior was instrumental in securing this significant verdict,” said Claudia

Flores, Staff Attorney ACLU, Women Rights Project and co-counsel for women. “It was a pleasure working alongside their trial consultants, who provided key insights and recommendations regarding how best to present our case to the jury. The ACLU very much appreciates DOAR’s efforts and applauds their support of our mission.”

Claudia Flores | Staff Attorney ACLU, [PRO BONO](#)

Plaintiff’s Audio Recording



ENGLISH

PALACCI:

Give me your hand. Touch
my [d***].

PALACCI:

You feel ashamed! Right?

ESPAÑOL

PALACCI:

Dame la mano. Toque
la [p****].

PALACCI:

¡Tienes vergüenza! ¿No?

Defendant Palacci and Plaintiff Peralta

