

Daily Journal

FEBRUARY 19, 2020

Top Verdicts

The largest and most significant verdicts and appellate reversals in California

TOP PLAINTIFFS' VERDICT BY IMPACT

Planned Parenthood Federation of America v. Center for Medical Progress et al.



RHONDA R. TROTTER



JEREMY T. KAMRAS



AMY L. BOMSE



SHARON D. MAYO

In 2015, videos circulated by an anti-abortion group appeared to show Planned Parenthood executives discussing the sale of fetal organs for a profit, which is a felony offense.

The videos were part of national news for weeks and caused a political uproar.

Planned Parenthood claimed the videos were doctored and filed a lawsuit U.S. District Court. The defendant argued they were citizen journalists protected under the First Amendment.

The jury didn't buy that argument and in November awarded Planned Parenthood nearly \$2.3 million for fraud, trespass, illegal recordings and RICO violations. *Planned Parenthood Federation of America v. Center for Medical Progress et al.*, 16-CV00236 (N.D. Cal., filed Jan. 14, 2016)

One of the plaintiff's attorneys, Rhonda R. Trotter, said Planned Parenthood doctors and staff, and those who work at other clinics that provide reproductive services, "ought to be able to do that in an environment where they don't feel physically threatened."

The Center for Medical Progress' actions "lead to some very frightening circumstances, as doctors and staffers testified," Trotter said. "From that perspective alone, the case was very important."

"Certainly, the defendants attempted at every turn to try and raise all sorts of things they thought would inflame the jury," Trotter said.

Jeremy Kamras, another attorney who represented Planned Parenthood, pointed to the fact that the trial took place in the

context of the political abortion wars, with activists in the gallery and on the courthouse grounds.

While people "understandably hold strong viewpoints about abortion," the challenge was to keep the case on the actual claims, Kamras said.

"Our position was that even journalists are required to follow the law, and the presiding judge reiterated to the jury to focus on the defendant's tactics and strategy," he said.

One of the defense attorneys, Catherine Short, said the Center for Medical Progress didn't violate any laws and Planned Parenthood doesn't deserve any damages. Short, of the Life Legal Defense Foundation, said the center realizes "this is a long slog," and is appealing the verdict.

— Karen Weil

case INFO

Fraud, trespass, illegal recordings, RICO violations

Northern District

U.S. District Judge William H. Orrick III

Plaintiff's lawyers: Arnold & Porter Kaye Scholer LLP, Rhonda R. Trotter, Jeremy T. Kamras, Sharon D. Mayo; Rogers Joseph O'Donnell, Amy L. Bomse

Defense lawyers: Thomas More Society, Peter C. Breen; Charles S. LiMandri; Liberty Counsel, Horatio G. Mihet; Dhillon Law Group Inc., Harmeet K. Dhillon; American Center for Law and Justice, Edward L. White; Life Legal Defense Foundation, Catherine W. Short