



The Greenberg Gross Sexual Assault Litigation practice leadership team. From left: Deborah Mallgrave, Jemma Dunn, Wayne Gross, and Brian Williams.

# Fighting for Survivors of Childhood Sexual Assault

By Wayne R. Gross and Deborah S. Mallgrave

Since opening our doors almost a decade ago, Greenberg Gross has focused on being the business litigation firm of choice for plaintiffs and defendants in bet-the-company trial work across the country. We have worked hard to provide the very best representation to companies and executives in need of sophisticated lawyering. In late 2019, however, a change in California law caused the firm to supplement its primary focus – complex business litigation – with an entirely new practice area for plaintiffs who have been subjected to childhood sexual assault. This article explains how the law has changed and its widespread impact on the business community and beyond.

## The California Child Victims Act (AB 218)

A landmark piece of legislation, California Child Victims Act (AB 218) affords survivors of childhood sexual assault an “open window,” during which they may file claims that would otherwise be time barred by the statute of limitations. This window is open until December 31, 2022. After the present window closes, survivors of childhood sexual assault will have either until age 40, or five years from the discovery of abuse to file civil lawsuits. The previous limit had been age 26, or within three years from discovery of the abuse.

With the passage of this law, the Governor and legislature have recognized the deep psychological trauma caused by the sexual assault of a child. The sad reality is that it often takes years for child-victims to recover, to discover or sufficiently understand their experience, and to develop the courage to seek the help and justice they deserve. Indeed, most survivors of childhood sexual assault do not come forward until much later in life, statistically around the age of 52.

In the past, many institutions covered up the crimes of sexual predators and escaped responsibility. AB 218 makes it easier for survivors to bring lawsuits against these institutions, which sadly includes not only religious organizations, but also public and private schools, youth sports leagues, daycare facilities, foster care agencies, detention centers, and others that have a duty to protect the children in their care.

Greenberg Gross regularly confronts powerful adversaries in its complex business litigation. With its deep experience handling some of the most complex, challenging cases, as well as counting among its attorneys former federal prosecutors, the firm has the resources, platform, and experience to litigate childhood sexual assault cases at the highest level. In entering the fray upon the passage of AB 218, we discovered a void that needed to be filled. The ravage of child sexual assault cuts across all swaths of society and strikes people from all walks of life, regardless of income, education, professional success, religious affiliation, gender or other demographic. Two Greenberg Gross cases exemplify this reality.

## The Gucci Sexual Assault Case

On one end of the spectrum is what has become known as the Gucci sexual assault case. In September 2020, Greenberg Gross filed a lawsuit on behalf of Alexandra Zarini, a member of the Gucci fashion family and the granddaughter of founder Aldo Gucci, against her mother Patricia Gucci, grandmother Bruna Palombo (Aldo Gucci's longtime partner), and step-father Joseph Ruffalo. The case, filed under AB 218, alleges that Patricia Gucci and Bruna Palombo were negligent, that Patricia Gucci was physically and emotionally abusive, and that Joseph Ruffalo repeatedly sexually harassed, abused, and assaulted Zarini in their Beverly Hills home starting when she was just six years old and continuing through her young adulthood. Zarini further alleges that her mother enabled the assaults, and

that her grandmother ordered Zarini to keep quiet and say nothing. The harrowing allegations by Zarini have generated international attention and have focused a spotlight on the fact that childhood sexual assault occurs in what seemingly is the most privileged of settings. The great-granddaughter and Gucci heiress has set up a foundation, the Alexandra Gucci Children's Foundation ([guccifoundation.org](http://guccifoundation.org)), and will use any financial recovery she receives to help other victims of sexual assault. The Foundation is currently working on policy initiatives, both in Washington and globally, as well as bringing awareness to one of the biggest societal challenges of today, the sexual assault of the world's children.

## The La Luz del Mundo RICO and Trafficking Case

On the other end of the spectrum is a tragic human trafficking case involving some of the poorest members of society. Representing Sochil Martin, in early 2020, Greenberg Gross filed a lawsuit against the global religious institution, La Luz del Mundo (LDM), under federal human trafficking and racketeering (RICO) statutes and several other federal and state laws, including AB 218. Exhibiting a presence on five continents and in nearly 60 countries, and with more than 5 million members, LDM is a global religious sect built around a doctrine of complete subservience to the “Apostle,” Naason Joaquin Garcia, and his inner circle of bishops. As alleged, the case seeks to end the longstanding cycle of exploitation, abuse and retaliation against Martin and hundreds of others at the hands of LDM and its leadership, which grooms children to be sexually assaulted by the Apostle. In Martin's case, the abuse began at the age of nine when she was given over by her aunt and foster mother to “serve” the Apostle. She has endured a lifetime of manipulation, trafficking, forced labor, sexual assault, financial exploitation and harassment perpetrated by a sexual predator and the global institution protecting that predator. Since Martin began to break away from the group at age 30, LDM has tried to buy her silence, threatened her, and launched a smear campaign against her. Even in the midst of her own lawsuit and personal struggles, Ms. Martin fights for the rights and freedom of other survivors of sexual assault and financial exploitation.

What both of these groundbreaking cases illustrate is that the California legislature was absolutely right in passing AB 218, which has enabled Greenberg Gross, as well as other firms who have taken up the cause, to fight for courageous survivors of childhood sexual assault from all walks of life.



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**Deborah S. Mallgrave** is chair of the firm's Sexual Assault and Human Trafficking Litigation practice where she concentrates her practice on complex litigation matters and advocating for survivors of sexual abuse and assault. Her extensive litigation experience includes a multitude of different business transactions, fraud schemes, unfair competition scenarios, real estate issues, intellectual property disputes, and trust litigation. Ms. Mallgrave can be contacted at [dmallgrave@ggtriallaw.com](mailto:dmallgrave@ggtriallaw.com).

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