
ANAPOLWEISS

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August 18, 2022

VIA E-MAIL and USPS

Former-Juvenile Witness

RE: Luzerne County Damages Hearing Update, No. 3:09-CV-286

Dear _____,

On September 27, 2021, Judge Christopher C. Conner began hearing testimony about former-Judges Mark A. Ciavarella (“Ciavarella”) and Michael T. Conahan (“Conahan”) for their roles in the Luzerne County “Kids for Cash” case filed in 2009. On August 16, 2022, Judge Conner issued his opinion (here: www.pamd.uscourts.gov/sites/pamd/files/opinions/09v286.pdf). The order is attached to this letter.

At the outset of his 41-page opinion, Judge Conner remarks, “[t]heir collective testimony paints the portrait of justice derailed by a presiding judge who ruled with breathtaking arrogance and an unfathomable disregard of due process.”

Judge Conner found each plaintiff completely credible in their recollection of what they experienced. He used direct quotes from witness testimony to memorialize what it was like to appear in Ciavarella’s courtroom, the senseless reasons juveniles were sent to detention facilities, and the harm – physical, emotional, educational, and reputational – suffered as a result.

His opinion ends by recognizing that “[t]he law is powerless to restore to plaintiffs the weeks, months, and years lost because of the actions” of Ciavarella and Conahan. It is the Court’s hope “that by listening to their experiences and acknowledging the depth of the damage done to their lives, we can provide them with a measure of closure and, with this memorandum opinion, ensure that their stories are never forgotten.”

In total, Judge Conner awarded \$106,296,945.53 in compensatory damages to those who testified at the Damages Hearing. If you testified and would like to know how much you were awarded, please contact ccarreras@anapolweiss.com. Judge Conner reached this number after reviewing case law and determining that each plaintiff was eligible for compensatory damages at an initial base rate of \$1,000.00 per day of wrongful detention. The Court then considered all record evidence, including multiple reviews of testimony received at trial, and adjusted your award



to meaningfully reflect your unique circumstances and experiences. Per the releases executed in past settlement agreements, your award was reduced by the sum total of your prior settlement awards. Judge Conner also awarded \$100,000,000.00 in punitive damages. Judge Conner did not award any damages to the parents who testified or submitted affidavits.

At present, there is no money available to satisfy the award. To determine if there are assets to satisfy the award, my firm will schedule and take the depositions of Ciavarella and Conahan. This will likely take place in 2023. When a date has been set for the depositions, my office will send an update via e-mail.

Your individual stories made this historic verdict happen. As was Judge Conner, we were emotionally overcome many times throughout the hearing as we learned the details of your experiences. Unfortunately, this verdict does not erase those experiences or the long-lasting impacts of what happened years ago. It is our hope that the opportunity to share your story with the Court offered you some semblance of closure.

If any of your contact information changes, please notify my office via e-mail at ccarreras@anapolweiss.com.

Respectfully yours,



Sol H. Weiss, Esq.
Cecilia Y. Carreras, Esq.



**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

FLORENCE WALLACE, et al.,	:	CIVIL ACTION NO. 3:09-CV-286
	:	
Plaintiffs	:	(Judge Conner)
	:	
v.	:	
	:	
ROBERT J. POWELL, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 16th day of August, 2022, after a bench trial in this matter to assess damages against defendants Mark A. Ciavarella and Michael T. Conahan, and for the reasons set forth in the accompanying memorandum, it is hereby

ORDERED that:

1. Judgment is ENTERED in favor of the plaintiffs listed in the court's Damages Appendix against Ciavarella and Conahan in the amount of \$106,296,945.53 in compensatory damages.
2. Punitive damages are assessed against Conahan and Ciavarella in the amount of \$100,000,000.00.
3. Any motion for attorney's fees must be made within fourteen (14) days of the date of this order pursuant to Federal Rule of Civil Procedure 54(d).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania

