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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,
v.
RUBEN ANDRE GARCIA (3),
aka "Jonathan,"

Defendant.

Case No. 19CR4488-JLS

RESTITUTION ORDER

REDACTED

Defendant Ruben Andre GARCIA appeared before the Court for sentencing on June 14, 2021, for sex trafficking by force, fraud, and coercion, in violation of 18 U.S.C. §§ 1591(a)(1) and (a)(2), and conspiracy to commit sex trafficking by force, fraud, and coercion, in violation of 18 U.S.C. § 1594(c). The Court sentenced GARCIA to 240 months custody per count to run concurrent on each count.

The United States has sought restitution for the victims of the offenses based upon 18 U.S.C. § 1593. Restitution is mandatory under Section 1593, and orders of restitution under Section 1593 are issued and enforced in accordance with Section 3664 and in the same manner as an order under Section 3663A. 18 U.S.C. § 1593(b)(2). The amount of loss and causation must be proven by the government by a preponderance

1 of the evidence. *United States v. Eyraud*, 809 F.3d 462, 467 (9th Cir.
2 2015).

3 The Court held a restitution hearing on October 8, 2021, and
4 December 10, 2021, pursuant to 18 U.S.C. § 3664(d)(5). The government
5 presented evidence of the losses incurred by the victims in its Motion
6 Regarding Restitution and supporting materials. The government's
7 evidence was not disputed by GARCIA.

8 Based upon all the files and records in this case, for which the
9 Court takes judicial notice, and in consideration of the government's
10 Motion Regarding Restitution, and supporting materials, the Court finds
11 that the government has proven by a preponderance of the evidence that
12 the restitution sought by the government is appropriate pursuant to 18
13 U.S.C. § 1593. The Court makes the following factual findings and orders
14 the restitution set forth below.

15 **FINDINGS OF FACT**

16 1. On December 17, 2020, GARCIA pled guilty to counts one and
17 seven of the indictment charging defendant with one count of conspiracy
18 to commit sex trafficking, in violation of 18 U.S.C. § 1594(c), and one
19 count of sex trafficking by force, fraud, or coercion, in violation of
20 18 U.S.C. §§ 1591(a)(1) and (2).

21 2. Beginning in approximately 2013 and continuing up to October
22 2019, GARCIA participated in a conspiracy with Michael James Pratt,
23 Matthew Isaac Wolfe, Theodore Wilfred Gyi, Valerie Moser, and others,
24 to recruit Victims 1-5, as identified in the Indictment, and others, to
25 engage in commercial sex acts using force, fraud and coercion. Those
26 sex acts were ultimately posted on GirlsDoporn.com (GDP) and
27 girlsDotoys.com (GDT). GDP and GDT charged visitors a subscription fee

1 to access the websites' content. The GDP and GDT websites generated
2 millions of dollars in revenue for its owners.

3 3. Throughout the conspiracy, GDP and GDT received millions of
4 views. To promote the websites, video content from both sites was posted
5 on free porn sites such as pornhub.com, one of the world's most visited
6 websites. The videos from GDP and GDT posted on pornhub.com were often
7 viewed millions of times according to pornhub's view counters.

8 4. From approximately 2013 to October 2019, GARCIA was employed
9 at GDP. GARCIA recruited women to appear in videos for GDP/GDT and
10 appeared as the male actor in the videos for GDP. GARCIA was paid a
11 commission for each woman that he recruited on top of an hourly rate
12 for his employment.

13 5. To recruit victims to appear in videos for the websites,
14 GARCIA lied to the victims and told them that the videos would never be
15 posted on-line, that the videos would never be released in the United
16 States, and that no one who knew the women would ever find out about
17 the video, representations that Defendant and other members of the
18 conspiracy knew were false. Hundreds of women from various cities
19 throughout the United States and Canada were recruited to appear in
20 videos based upon these material misrepresentations. GARCIA and his co-
21 conspirators illegally obtained the images and videos of the victims
22 using force, fraud, and coercion.

23 6. There are hundreds of victims in this case who have been and
24 continue to be victimized by the posting and viewing of the GDP and GDT
25 images and videos. The victims are identified in the attached Exhibit
26 A to this order, which shall remain under seal, except for redacted
27

1 copies to be provided to individual victims identified therein who seek
2 to enforce the terms of this order.

3 7. The victims in this case have incurred the losses set forth
4 in the Government's Motion Regarding Restitution and supporting
5 materials. The losses include medical expenses, counseling expenses,
6 lost income, unused tuition, and legal fees. The victims will also incur
7 expenses in the future, including for medical and psychological care,
8 as set forth in the government's motion.

9 8. The gross income of the victims' services generated from the
10 scheme, as defined by 18 U.S.C. § 1593(b)(3), was \$16,922,798. This
11 equates to \$42,097 per victim identified in Attachment A.

12 **RESTITUTION**

13 Accordingly, IT IS HEREBY ORDERED:

14 **A. Return of the Rights to the GDP and GDT Videos and Images to**
15 **Victims**

16 1. Defendant Ruben Andre GARCIA, aka "Jonathan," has no right to
17 use, publish, or otherwise exploit GirlsDoPorn (GDP) or GirlsDoToys
18 (GDT) images, likenesses, or videos;

19 2. All purported model releases and other agreements between GDP
20 and/or GDT and its models purporting to give GDP and/or GDT the right
21 to use, publish, or otherwise exploit its models' images, likenesses,
22 or videos are void and unenforceable;

23 3. All transfers, licenses, or leases of the right to use,
24 publish, or otherwise exploit the models' images, likenesses, or videos
25 by GDP and/or GDT to any third parties are void;

1 4. Each model listed in Attachment A holds superior right, title,
2 and interest in the images, likenesses, and videos depicting that model
3 produced by GDP and/or GDT; and

4 5. Each model listed in Attachment A shall have and recover all
5 property that GDP and/or GDT took from them, including images,
6 likenesses, videos, and copyrights.

7 **B. Return of the Gross Income from the Scheme to the Victims**

8 Defendant Ruben Andre GARCIA, aka "Jonathan," is ordered to repay
9 to the victims the gross income generated from the scheme in the amount
10 of \$42,097 per victim identified in Attachment A for a total of
11 \$16,922,798.

12 **C. Restitution of Specified Victim Losses**

13 Defendant Ruben Andre GARCIA, aka "Jonathan," is further ordered
14 to pay restitution to the victims of this offense in the amounts set
15 forth below:

16

Victim	Total Restitution
[REDACTED]	\$8,200
[REDACTED]	\$37,562
[REDACTED]	\$20,000
[REDACTED]	\$200
[REDACTED]	\$62,434.88
[REDACTED]	\$41,644.47
[REDACTED]	\$92,529
[REDACTED]	\$127,610
[REDACTED]	\$600
[REDACTED]	\$14,080
[REDACTED]	\$27,840.04
[REDACTED]	\$8,229
[REDACTED]	\$6,476
[REDACTED]	\$43,940.48
[REDACTED]	\$15,000

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[REDACTED]	\$157,400
[REDACTED]	\$52,472
[REDACTED]	\$316,640
[REDACTED]	\$2,523
[REDACTED]	\$5,080
[REDACTED]	\$750
[REDACTED]	\$6,582
[REDACTED]	\$2,938

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IT IS SO ORDERED.

DATED: 12/14/2021

Janis L. Sammartino
 Hon. JANIS L. SAMMARTINO
 United States District Judge