

Winston Files International Law Case in Southern District of Texas and Immediately Secures Temporary Restraining Order for Client

JUNE 1, 2020

In May 2020, a Winston & Strawn team led by former Winston Partner and Associate Imad Khan filed a case pursuant to the 1980 Hague Convention on the Civil Aspects of International Child Abduction, a multilateral treaty that seeks to protect children from the harmful effects of abduction and retention across international borders by providing a procedure to bring about their prompt return. Associate Yarden Kakon (San Francisco), and Sr. Paralegal Kimberly Lewis (Houston) provided invaluable support.

Winston represented a Venezuelan father whose only daughter was wrongfully removed from Venezuela and brought to the United States by her mother in 2018. The mother has also restricted our client's access to his daughter since 2018. Within 24 hours of the case being filed, however, Winston secured interim relief that allows our client to speak with his child, without any impediments, for the first time in over a year and a half. On May 28, Winston secured a preliminary injunction mandating that the terms of the TRO will continue until a decision is made on the merits in this case. This means that the court has prevented the Respondent and the Child from leaving the jurisdiction, will keep their passports/visas to ensure the same, and allow the Petitioner unfettered access to the Child.

Venezuelan courts have long affirmed our client's parental rights, which the mother has repeatedly ignored and violated, including by removing the child from Venezuela under false pretenses without any intention of returning to Venezuela. The mother has also ignored Venezuelan civil and criminal court orders, thus necessitating an invocation of the Hague Convention so that Venezuelan law concerning our client's parental rights may be enforced in the United States. Winston first got involved with the case when the United States Department of State, responsible for the Hague Convention's implementation in the U.S., requested we take on the case on a Pro Bono basis.

The trial date is now set for June 29. This decision is a direct result of Winston's argument that the case must move expeditiously under the Hague Convention and its implementing legislation.

For more details about Winston's Pro Bono practice, [click here](#).

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M. Imad Khan



Yarden Kakon