

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-2113

TATIANA CUENCA-VIDARTE; SANDRA PETERS,

Plaintiffs - Appellants,

v.

MICHAELE C. SAMUEL; ADAM ISHAEIK,

Defendants - Appellees,

and

AUPAIRCARE INC.; INTERNATIONAL TRAINING AND EXCHANGE, INC.,
d/b/a Intrax, d/b/a AuPairCare; JOHN F. WILHELM; TAKESHI YOKOTA,

Defendants.

Appeal from the United States District Court for the District of Maryland, at Greenbelt.
George Jarrod Hazel, District Judge. (8:20-cv-01885-GJH)

Submitted: January 8, 2024

Decided: February 15, 2024

Before AGEE and RUSHING, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed in part, vacated in part, and remanded by unpublished per curiam opinion.

ON BRIEF: Christopher Roderick Ryon, Owen Cahill Bement, KAHN SMITH &
COLLINS, P.A., Baltimore, Maryland; Benjamin Richard Botts, CENTRO DE LOS

DERECHOS DEL MIGRANTE, INC., Baltimore, Maryland, for Appellants. Gabriel J. Christian, Tanitoluwa I. Odubiyi, THE LAW OFFICES OF GABRIEL J. CHRISTIAN & ASSOCIATES, LLC, Bowie, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Plaintiffs Tatiana Cuenca-Vidarte and Sandra Peters (“Plaintiffs”) appeal the district court’s order granting Defendants’ motion to compel arbitration and granting, without prejudice, Defendants’ motion to dismiss Plaintiffs’ claims of forced labor, brought pursuant to the Trafficking Victims Protection Reauthorization Act, 18 U.S.C. § 1595 (“TVPRA”), and Plaintiffs’ claims for breach of contract and violations of federal and state wage and hour laws. On appeal, Plaintiffs challenge only the district court’s dismissal of their TVPRA claims, which the court dismissed because they implicated a settlement agreement in *Beltran v. InterExchange, Inc.*, No. 14-cv-03074 (D. Colo.) (“the *Beltran* Action”) and the District Court for the District of Colorado (“the Colorado District Court”) retained continuing and exclusive jurisdiction to interpret and construe that agreement.

The Colorado District Court subsequently granted Plaintiffs’ motion to interpret the settlement agreement in the *Beltran* Action as it relates to their TVPRA claims. *Beltran*, PACER No. 1258. As the Colorado District Court has since clarified that Plaintiffs’ TVPRA claims against their host family are excepted from the settlement agreement in the *Beltran* Action, *Beltran*, PACER No. 1258 at 27-33, we vacate the district court’s order, in part, and remand for further proceedings on the TVPRA claims against Michael C. Samuel and Adam Ishaik. We affirm the remainder of the district court’s order. *Cuenca-Vidarte v. Samuel*, No. 8:20-cv-01885-GJH (D. Md. Sept. 30, 2022). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED IN PART, VACATED IN PART, AND REMANDED