

\$12.4 million awarded in child-stealing case

Man's ex-wife fled with daughter to Paris

By Dawn Webber
Daily News Staff Writer

A Los Angeles restaurateur whose daughter was abducted by his French-born ex-wife and taken to France five years ago was awarded \$12.4 million in damages Tuesday by a California judge.

Shing Loong "David" Wang, 40, was awarded \$9.8 million in general damages, \$2.5 million in punitive damages and \$124,000 in special damages by a judge who ruled the conduct of Wang's ex-wife "closely rivals in heinousness the crime of murder."

The judge also branded the actions of French authorities in the case as "outrageous."

Wang's lawyer, J. Michael Kelly, said the ruling was unusual because of the amount of damages awarded against Sylvaine Marie

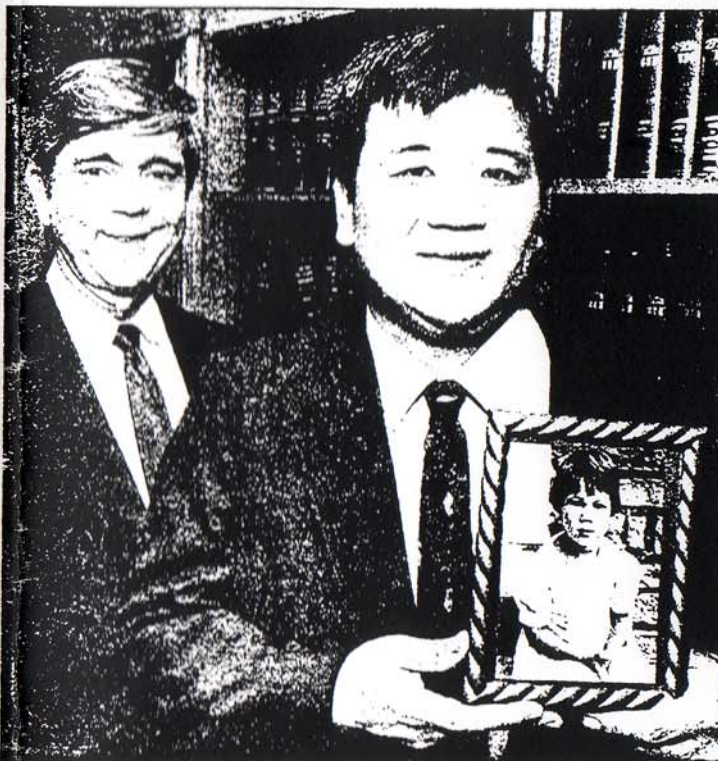
Collet Wang, 41, and because Judge Pro Tempore Vincent S. Dalsimer placed a \$1 million-a-year value on each year Wang missed with his daughter, Alice Stephanie, now 13.

"The court realizes that money cannot take the place of human bonding and affection but being charged with the responsibility of attempting to value those relationships fixes their value at \$1 million per year," Dalsimer said in a written ruling.

Dalsimer, a retired Court of Appeal justice who arbitrated the case, calculated the \$9.8 million in general damages assuming that David Wang would not be able to see his daughter until she's 18 — a total of 9.8 years.

The judge also awarded special

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Gus Ruelas / Daily News

Shing Loong "David" Wang, right, with his attorney, J. Michael Kelly, shows a picture Tuesday of his daughter, Alice Stephanie, now 13.

Abduction case sets damage record

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damages to Wang in view of his deteriorating health and legal costs of pursuing a case both in the United States and French courts.

"I feel happy," Wang said in a telephone interview. "I don't think I'm going to collect that much money. But it will bring attention to the public and to the people around us — they cannot do this kind of thing, taking the child away."

"She told people I abandoned my daughter," he said. "I think it's unfair they (French authorities and others) don't know my side of the story."

Kelly said the decision marked the "largest verdict (in a case) of child stealing in the country."

"This is a message that the courts are no longer going to treat child abduction in the way that they treated spousal rape or spousal abuse — just something that happens between a man and a woman," Kelly said.

Sylvaine Wang resides in Paris and did not attend the two-day court hearing in Los Angeles in May.

But her attorney, Stephen R. Kahn, said his client believes the decision by Dalsimer is not enforceable in France.

"She has limited assets in California and a valid order giving her custody in France," Kahn said.

The parties agreed Dalsimer's decision would be final without an appeal by either side, attorneys said.

David and Sylvaine Wang were married in France in 1976 and later moved to Los Angeles. In 1980, their daughter was born — seven years before the couple divorced.

A California court awarded joint legal custody of Alice Stephanie, although she lived with her mother and was ordered not to be removed from the state by either party for more than two weeks without the consent of the other.

In 1988, Sylvaine Wang took her

daughter to France, where she petitioned the Tribunal de Grande Instance for sole custody and won.

She claimed in court documents that her ex-husband refused to provide his address, failed to pay for the child's medical expenses and threatened to take the girl from her mother and send her to his family in Taiwan.

"In addition, young Alice suffered from increasingly serious allergic reactions to the polluted environment of Los Angeles," court documents stated.

In awarding custody to Sylvaine Wang, the French judge noted: "These facts are new elements likely to modify, in the interest of the child, the measures taken by the California judge. It seems that the child is at present in good health and is very happy among her present school mates . . . (though she had) . . . real problems in the U.S.A."

David Wang claimed his ex-wife sold her Torrance home for

\$400,000 and fled with their daughter without notice. He said he tried without success for five years to contact her by telephone and mail.

"It has been very, very difficult for me, and the hardest part is I have to swallow things all the time because life has to go on. You cannot show your sorrow. You have to smile for the customers," said Wang, who owns Maison Wang in suburban Westchester.

Kahn, attorney for Sylvaine Wang, said his client is living with her family and has never attempted to hide the girl.

"He knows where she is living. (Sylvaine Wang says) they've never received a letter or a phone call," Kahn said.

But in his ruling, Dalsimer found the mother "acted with the willful intent to inflict grievous mental suffering upon plaintiff . . . (and) has never revealed Alice's whereabouts."

"Alice has been wrenched from her native land and is being

brought up in a foreign culture without any thought as to what she might desire," Dalsimer wrote.

The judge noted that David Wang was afraid to go to France to try and see his daughter.

"His fears of French partiality toward its citizen were proven accurate by the French judge's utter disregard of the prior subsisting orders of the court of Alice's country and lifelong domicile," Dalsimer wrote.

He noted David Wang produced canceled checks to show he paid for his daughter's support.

"The action of the French authorities is outrageous," Dalsimer wrote.

Wang — who has since remarried and has two young sons — developed high blood pressure, heart trouble and put on weight after his daughter was taken to Paris.

He took legal action to freeze his wife's assets in California and will attempt to at least acquire the money from the sale of the Torrance property, Kelly said.