

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

MDL No. 3084 CRB

Honorable Charles R. Breyer

JURY TRIAL DEMANDED

This Document Relates to:

LCHB128 v. Uber Technologies, Inc., et al.
Case No: 3:24-cv-7019

SHORT-FORM COMPLAINT AND DEMAND FOR JURY TRIAL

The Plaintiff named below files this *Short-Form Complaint and Demand for Jury Trial* against Defendants named below by and through the undersigned counsel. Plaintiff incorporates by reference the allegations contained in *Plaintiffs' Master Long-Form Complaint in In Re: Uber Technologies, Inc., Passenger Sexual Assault Litigation*, MDL No. 3084 in the United States District Court for the Northern District of California. Plaintiff files this *Short-Form Complaint* as permitted by Case Management Order No. 11 of this Court.

Plaintiff selects and indicates by checking-off where requested, the Parties and Causes of Actions specific to this case.

Plaintiff, by and through their undersigned counsel, allege as follows:

I. DESIGNATED FORUM¹

1. Identify the Federal District Court in which the Plaintiff would have filed in the absence of direct filing:

Northern District of California

("Transferee District Court").

II. IDENTIFICATION OF PARTIES**A. PLAINTIFF**

1. *Injured Plaintiff*: Name of the individual who alleges they were sexually assaulted, battered, harassed, or otherwise attacked by an Uber driver with whom they were paired while using the Uber platform:

LCHB128

("Plaintiff").

2. At the time of the filing of this *Short-Form Complaint*, Plaintiff resides at:

Phoenix, Maricopa County, Arizona

3. (If applicable) _____ [INSERT NAME OF REPRESENTATIVE] is filing this case in a representative capacity as the [INSERT DESCRIPTOR I.E. ADMINISTRATOR ETC.] of the [INSERT DESCRIPTOR I.E. ESTATE OF NAME, ETC.], and has authority to act in this representative capacity because [INSERT BASIS FOR AUTHORITY].

B. DEFENDANT(S)

1. Plaintiff names the following Defendants in this action.

[BEFORE PROCEEDING - PLEASE CAREFULLY READ AND CONSIDER THE PLACES OF INCORPORATION AND PRINCIPAL PLACE OF BUSINESS OR RESIDENCE OF EACH DEFENDANT BEFORE SELECTING TO ENSURE THAT YOU ARE NOT NAMING ANY DEFENDANTS FROM THE SAME STATE AS THE PLAINTIFF. THE PLACE OF INCORPORATION, PRINCIPAL PLACE OF

¹ See Pretrial Order No. 6, at II(C) (ECF No. 177).

BUSINESS OR RESIDENCE OF EACH DEFENDANT IS IN THE FOOTNOTES FOR YOUR CONVENIENCE]:

✓ UBER TECHNOLOGIES, INC.;²

✓ RASIER, LLC;³

✓ RASIER-CA, LLC.⁴

☐ OTHER (specify): _____. This defendant's residence is in (specify state): _____.

C. RIDE INFORMATION

1. The Plaintiff was sexually assaulted, harassed, battered, or otherwise attacked by an Uber driver in connection with a ride facilitated on the Uber platform in Maricopa County, Arizona on June 28, 2024.
2. The Plaintiff WAS the account holder of the Uber account used to request the relevant ride.
3. The Plaintiff provides the following additional information about the ride:

[PLEASE SELECT/COMPLETE ONE]

- ✓ The Plaintiff hereby incorporates Plaintiff's disclosure of ride information produced pursuant to Pretrial Order No. 5 ¶ 4 or to be produced in compliance with deadlines set forth in Pretrial Order No. 5 ¶ 4, and any amendments or supplements thereto.
- ☐ The origin of the relevant ride was [STREET ADDRESS, CITY, COUNTY, STATE]. The requested destination of the relevant ride was [STREET ADDRESS, CITY, COUNTY, STATE]. The driver was named [DRIVER NAME].

² Delaware corporation with a principal place of business in California.

³ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

⁴ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

III. CAUSES OF ACTION ASSERTED

1. The Causes of Action asserted in the *Plaintiffs' Master Long-Form Complaint*, and the allegations with regard thereto in the *Plaintiffs' Master Long-Form Complaint*, are adopted in this *Short-Form Complaint* by reference, except that Plaintiff opts out of and excludes the causes of action specified below:

Check any EXCLUDED causes of action	Cause of Action Number	Cause of Action
<input type="checkbox"/>	I	NEGLIGENCE (including Negligent Hiring, Retention, Supervision, and Entrustment)
<input type="checkbox"/>	II	FRAUD AND MISREPRESENTATION
<input type="checkbox"/>	III	NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
X	IV	COMMON CARRIER'S NON-DELEGABLE DUTY TO PROVIDE SAFE TRANSPORTATION ⁵
<input type="checkbox"/>	V	OTHER NON-DELEGABLE DUTIES TO PROVIDE SAFE TRANSPORTATION ⁶
<input type="checkbox"/>	VI	VICARIOUS LIABILITY FOR DRIVERS' TORTS – EMPLOYEE
<input type="checkbox"/>	VII	VICARIOUS LIABILITY FOR DRIVERS' TORTS – APPARENT AGENCY
<input type="checkbox"/>	VIII	VICARIOUS LIABILITY FOR DRIVERS' TORTS – RATIFICATION
<input type="checkbox"/>	IX	VICARIOUS LIABILITY FOR DRIVERS' TORTS – Cal. Public Utilities Code § 535
<input type="checkbox"/>	X	STRICT PRODUCTS LIABILITY – DESIGN DEFECT
<input type="checkbox"/>	XI	STRICT PRODUCTS LIABILITY – FAILURE TO WARN
<input type="checkbox"/>	XII	STRICT PRODUCTS LIABILITY – PRODUCT LIABILITY ACTS
<input type="checkbox"/>	XIII	UNFAIR COMPETITION LAW – Cal. Bus. & Prof. Code § 17200 et seq.

VI. ADDITIONAL CAUSES OF ACTION AND/OR ALLEGATIONS

⁵ This claim is pleaded in the *Plaintiffs' Master Long-Form Complaint* under the laws of every state **except: Arizona, Colorado, District of Columbia, Illinois** (for incidents prior to August 11, 2023), **Michigan, Montana** (for incidents prior to April 23, 2023), **New York, Pennsylvania, Wisconsin, and Wyoming**.

⁶ This claim is pleaded in *Plaintiffs' Master Long-Form Complaint* under the laws of every state **except: District of Columbia, Michigan, New York, Pennsylvania**.

NOTE

If Plaintiff wants to allege additional Cause(s) of Action other those selected in paragraph __, the specific facts supporting any such additional Cause(s) of Action, must be pled in a manner complying with the requirements of the Federal Rules of Civil Procedure (*see* paragraph __). In doing so you may attach additional pages to this *Short-Form Complaint*.

1. Plaintiff asserts the following additional theories against the Defendants designated in paragraph __ above:

N/A

2. If Plaintiff has additional factual allegations not set forth in *Plaintiffs' Master Long-Form Complaint*, they may be set forth below or in additional pages:

N/A

WHEREFORE, Plaintiff prays for relief and judgment against Defendants for economic and non-economic compensatory and punitive and exemplary damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper, and such further relief as the Court deems equitable and just, and as set forth in *Plaintiffs' Master Long-Form Complaint*.

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all claims in this action.

1 Dated: October 7, 2024

**LIEFF CABRASER HEIMANN &
BERNSTEIN**

/s/ Sarah R. London

Sarah R. London (CA Bar No. 267083)

Caitlin M. Woods (CA Bar No. 335601)

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Attorneys for Plaintiff

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

LCHB128

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

Maricopa Count, AZ

(c) Attorneys (Firm Name, Address, and Telephone Number)

Sarah R. London, Lief Cabraser Heimann & Bernstein LLP, 275 Battery St, 29th Floor, San Francisco, CA 94111, (415) 956-1000, slondon@lchb.com

DEFENDANTS

Uber Technologies, Inc.; Rasier, LLC; and Rasier-CA, LLC

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Randall S. Lusk, Paul, Weiss, Rifkind, Wharton & Garrison LLP, 535 Mission Street, 24th Floor, San Francisco, CA 94105 (628) 432-5100; Robert Atkins, Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, NY 10019 (212) 373-3183

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff

☐ 2 U.S. Government Defendant

☐ 3 Federal Question
(U.S. Government Not a Party)

☒ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<div><div>110 Insurance</div><div>120 Marine</div><div>130 Miller Act</div><div>140 Negotiable Instrument</div><div>150 Recovery of Overpayment Of Veteran's Benefits</div><div>151 Medicare Act</div><div>152 Recovery of Defaulted Student Loans (Excludes Veterans)</div><div>153 Recovery of Overpayment of Veteran's Benefits</div><div>160 Stockholders' Suits</div><div>190 Other Contract</div><div>195 Contract Product Liability</div><div>196 Franchise</div></div>	<div><div><div>PERSONAL INJURY</div><div><div>310 Airplane</div><div>315 Airplane Product Liability</div><div><input checked="" type="checkbox"/> 320 Assault, Libel & Slander</div><div>330 Federal Employers' Liability</div><div>340 Marine</div><div>345 Marine Product Liability</div><div>350 Motor Vehicle</div><div>355 Motor Vehicle Product Liability</div><div>360 Other Personal Injury</div><div>362 Personal Injury -Medical Malpractice</div></div><div><div>PERSONAL INJURY</div><div><div>365 Personal Injury – Product Liability</div><div>367 Health Care/ Pharmaceutical Personal Injury Product Liability</div><div>368 Asbestos Personal Injury Product Liability</div></div><div><div>PERSONAL PROPERTY</div><div><div>370 Other Fraud</div><div>371 Truth in Lending</div><div>380 Other Personal Property Damage</div><div>385 Property Damage Product Liability</div></div></div></div><div><div><div>CIVIL RIGHTS</div><div><div>440 Other Civil Rights</div><div>441 Voting</div><div>442 Employment</div><div>443 Housing/ Accommodations</div><div>445 Amer. w/Disabilities– Employment</div><div>446 Amer. w/Disabilities–Other</div><div>448 Education</div></div><div><div>PRISONER PETITIONS</div><div><div>HABEAS CORPUS</div><div><div>463 Alien Detainee</div><div>510 Motions to Vacate Sentence</div><div>530 General</div><div>535 Death Penalty</div></div><div><div>OTHER</div><div><div>540 Mandamus & Other</div><div>550 Civil Rights</div><div>555 Prison Condition</div><div>560 Civil Detainee– Conditions of Confinement</div></div></div></div></div></div></div></div></div>	<div><div>625 Drug Related Seizure of Property 21 USC § 881</div><div>690 Other</div></div> <div><div>LABOR</div><div><div>710 Fair Labor Standards Act</div><div>720 Labor/Management Relations</div><div>740 Railway Labor Act</div><div>751 Family and Medical Leave Act</div><div>790 Other Labor Litigation</div><div>791 Employee Retirement Income Security Act</div></div><div><div>IMMIGRATION</div><div><div>462 Naturalization Application</div><div>465 Other Immigration Actions</div></div></div></div>	<div><div>422 Appeal 28 USC § 158</div><div>423 Withdrawal 28 USC § 157</div></div> <div><div>PROPERTY RIGHTS</div><div><div>820 Copyrights</div><div>830 Patent</div><div>835 Patent–Abbreviated New Drug Application</div><div>840 Trademark</div><div>880 Defend Trade Secrets Act of 2016</div></div><div><div>SOCIAL SECURITY</div><div><div>861 HIA (1395ff)</div><div>862 Black Lung (923)</div><div>863 DIWC/DIWW (405(g))</div><div>864 SSID Title XVI</div><div>865 RSI (405(g))</div></div><div><div>FEDERAL TAX SUITS</div><div><div>870 Taxes (U.S. Plaintiff or Defendant)</div><div>871 IRS–Third Party 26 USC § 7609</div></div></div></div></div>	<div><div>375 False Claims Act</div><div>376 Qui Tam (31 USC § 3729(a))</div><div>400 State Reapportionment</div><div>410 Antitrust</div><div>430 Banks and Banking</div><div>450 Commerce</div><div>460 Deportation</div><div>470 Racketeer Influenced & Corrupt Organizations</div><div>480 Consumer Credit</div><div>485 Telephone Consumer Protection Act</div><div>490 Cable/Sat TV</div><div>850 Securities/Commodities/ Exchange</div><div>890 Other Statutory Actions</div><div>891 Agricultural Acts</div><div>893 Environmental Matters</div><div>895 Freedom of Information Act</div><div>896 Arbitration</div><div>899 Administrative Procedure Act/Review or Appeal of Agency Decision</div><div>950 Constitutionality of State Statutes</div></div>

V. ORIGIN (Place an "X" in One Box Only)

☐ 1 Original Proceeding

☐ 2 Removed from State Court

☐ 3 Remanded from Appellate Court

☐ 4 Reinstated or Reopened

☐ 5 Transferred from Another District (specify)

☐ 6 Multidistrict Litigation–Transfer

☒ 8 Multidistrict Litigation–Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. 1332

Brief description of cause:

Tort action based on sexual assault and negligence

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P.

DEMAND \$

CHECK YES only if demanded in complaint: JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE Charles R. Breyer

DOCKET NUMBER 3:23-md-03084-CRB

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

☒ SAN FRANCISCO/OAKLAND

☐ SAN JOSE

☐ EUREKA-MCKINLEYVILLE

DATE 10/07/2024

SIGNATURE OF ATTORNEY OF RECORD /s/ Sarah R. London