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DEC 04 2019  
CLERK OF THE COURT  
BY: KALENE APOLONIO  
Deputy Clerk

12 Attorneys for Plaintiffs

13  
14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **COUNTY OF SAN FRANCISCO**

16 JANE ROE 1, an individual, all additional )  
JANE ROE plaintiffs, through and including )  
17 JANE ROE 1,000, an individual, JOHN )  
ROE, an individual, BRENDA CHARITY, )  
18 an individual, INGRID FERREIRA, an )  
individual, TYKAJA HALL, an individual, )  
19 CAROLINE MILLER, an individual, ERIN )  
MARSHALL, an individual, and HANNAH )  
20 WELLS, an individual, )  
Inclusive, )

Case No. **CGC-19-581262**  
**COMPLAINT**  
**(MASS TORT)**

21 Plaintiffs,

22 v.

23 LYFT, INC., and DOES 1 through 100, )  
24 Inclusive, )

25 Defendants. )  
26

27 Plaintiffs JANE ROE 1 through JANE ROE 1,000, JOHN ROE, BRENDA CHARITY,  
28 INGRID FERREIRA, TYKAJA HALL, ERIN MARSHALL, HANNAH WELLS and CAROLINE

1 MILLER, inclusive, jointly and severally, allege the following against defendant LYFT, INC. and  
2 DOES 1 through 100, inclusive.

3 **PARTIES AND JURISDICTION**

- 4 1. The acts and omissions alleged in this complaint occurred within the State of California.
- 5 2. Plaintiff JANE ROE 1 is an adult and a resident of Los Angeles, California.
- 6 3. Plaintiff JOHN ROE is an adult and a resident of Los Angeles, California.
- 7 4. Plaintiff JANE ROE 2 is an adult and a resident of Worcester County, Massachusetts.
- 8 5. Plaintiff JANE ROE 3 is an adult and a resident of Prior Lake, Minnesota, who was in  
9 Los Angeles, California at the time she was assaulted in a LYFT vehicle.
- 10 6. Plaintiff JANE ROE 4 is an adult and a resident of Lake Oswego, Oregon.
- 11 7. Plaintiff JANE ROE 5 is an adult and a resident of Old Hickory, Tennessee.
- 12 8. Plaintiff JANE ROE 6 is an adult and a resident of Park City, Utah.
- 13 9. Plaintiff JANE ROE 7 is an adult and a resident of Atlanta, Georgia.
- 14 10. Plaintiff JANE ROE 8 is an adult and a resident of Brooklyn, New York.
- 15 11. Plaintiff JANE ROE 9 is an adult and a resident of Cleveland, Ohio.
- 16 12. Plaintiff JANE ROE 10 is an adult and resident of Brooklyn New York.
- 17 13. Plaintiff JANE ROE 11 is an adult and resident of Baltimore, Maryland.
- 18 14. Plaintiff JANE ROE 12 is an adult and resident of Glendora, California.
- 19 15. Plaintiff JANE ROE 13 is an adult and resident of Stafford, Virginia.
- 20 16. Plaintiff BRENDA CHARITY is an adult and resident of Canton, Georgia.
- 21 17. Plaintiff INGRID FERREIRA is an adult and resident of Newark, New Jersey.
- 22 18. Plaintiff TYKAJA HALL is an adult and resident of Fridley, Minnesota.
- 23 19. Plaintiff CAROLINE MILLER is an adult and resident of Cartersville, Georgia.
- 24 20. Plaintiff ERIN MARSHALL is an adult and resident of Tucson, Arizona.
- 25 21. Plaintiff HANNAH WELLS is an adult and resident of Atlanta, Georgia.
- 26 22. Plaintiffs BRENDA CHARITY, INGRID FERREIRA, TYKAJA HALL, CAROLINE

27 MILLER, ERIN MARSHALL, HANNAH WELLS, AND JANE ROE 1, through JANE ROE 1,000,

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1 each and all, are adults and are residents of the places that may hereafter be alleged by way of  
2 amendment to this complaint.

3 23. At all times relevant to this complaint, defendant LYFT, INC. (referred to in this  
4 complaint as "LYFT") was a corporation organized under the laws of Delaware with its principal place  
5 of business located at 185 Berry Street, Suite 5000, in the City and County of San Francisco, State of  
6 California. At all times relevant to this complaint, LYFT was conducting business in the City and  
7 County of San Francisco, State of California, and in all other places mentioned in this complaint, both  
8 as initially pleaded and as may be pleaded by way of amendment, including, but not limited to, Los  
9 Angeles, California; Newark, New Jersey; Sutton, Massachusetts; Prior Lake, Minnesota; Lake  
10 Oswego, Oregon; Hickory, Tennessee; Nashville, Tennessee; Park City, Utah; Atlanta, Georgia;  
11 Brooklyn, New York; New York, New York; Cleveland, Ohio; Canton, Georgia; Fridley, Minnesota;  
12 Cartersville, Georgia; Tucson, Arizona; Stafford, Virginia; Greenberg, Maryland; and Baltimore,  
13 Maryland

14 24. Plaintiffs do not know the true names and capacities of defendants sued herein as DOES  
15 1 through 100, inclusive, and, in accordance with California Code of Civil Procedure Section 474,  
16 plaintiffs therefore sue these defendants by the fictitious names of DOES 1 through 100, inclusive.  
17 Plaintiffs will seek leave to amend this complaint to set forth the true names and capacities of the  
18 fictitiously-named defendants when their true identities and capacities become known to plaintiffs.

19 25. DOES 1 through 100, inclusive, are responsible in some manner—either by act or  
20 omission, strict liability, fraud, negligence or otherwise—for the events and happenings alleged in this  
21 complaint and thereby caused harm to plaintiffs, and each of them.

22 26. At all relevant times, each defendant—including DOES 1 through 100, inclusive—was  
23 the agent, servant, representative, partner or employee of each of the co-defendants, and, in doing the  
24 things alleged in this complaint, was acting within the course and scope of their authority as such agent,  
25 servant, representative, partner or employee of each of co-defendant.

26 27. Wherever this complaint refers to "defendants," such reference shall mean and include  
27 each expressly named defendant and all DOE defendants.

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1 the safety of its passengers. As a consequence, LYFT passengers continue to be victims of sexual  
2 assaults and rapes by LYFT drivers.

3 34. Unfortunately, there have been many sexual assaults much worse than the ones suffered  
4 by plaintiffs as alleged herein, where victims have been attacked and traumatized after they simply  
5 contracted with LYFT for a safe ride home.

6 35. To utilize the service, a LYFT customer uses a smartphone application (hereinafter the  
7 "LYFT Ridesharing App" or "LYFT App") to request a ride in a motor vehicle. The LYFT App  
8 communicates with a LYFT driver who then picks up the customer in a vehicle that is identified as a  
9 LYFT vehicle and drives the customer to the customer's destination. Passengers pay LYFT a fee in  
10 exchange for safe passage to their destination. LYFT's public representations state that "safety is our  
11 top priority" and "it is our goal to make every ride safe, comfortable and reliable." Sadly, LYFT's  
12 priority is not passenger safety. Profits and market share are LYFT's priority. Lyft could make a few  
13 simple changes to the LYFT Ridesharing App to vastly increase passenger safety, but unfortunately,  
14 LYFT has chosen to not do so. As a result, the plaintiffs in this complaint, and other female passengers,  
15 continue to be attacked by sexual predators and have their lives irrevocably altered by the assailants  
16 driving for LYFT.

17 36. LYFT, including LYFT's officers, directors and/or managing agents, is also aware that  
18 sexual assaults are not limited to LYFT passengers. LYFT is aware of the multitude of LYFT drivers  
19 that have reported being assaulted while driving for LYFT. LYFT is also aware that many LYFT  
20 drivers have installed cameras in their vehicles, at their own expense, to protect them from the incidence  
21 of sexual assault.

22 37. LYFT, at the direction of LYFT's officers, directors and/or managing agents,  
23 understands that reports of rape and sexual assault by its drivers is not good for its business. Instead of  
24 taking a few basic and simple measures to prevent rapes and sexual assault of their passengers, LYFT,  
25 at the direction of LYFT's officers, directors and/or managing agents, has chosen to hide and conceal  
26 from the United States public the staggering number of reported rapes and sexual assaults that occur  
27 within their vehicles. LYFT, at the direction of their officers, directors and/or managing agents, has

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1 made a concerted effort in the media, in litigation and in criminal cases to hide and conceal the true  
2 extent of sexual assaults that occur in their vehicles.

3 38. Plaintiffs' counsel represents multiple women that have been sexually assaulted by  
4 LYFT drivers. Despite attempting to obtain records regarding the number of reported rapes and assaults  
5 that have been reported to LYFT, LYFT has attempted to conceal and block the release and disclosure  
6 of any records regarding the number of reported rape and sexual assaults of LYFT passengers.

7 39. Based on information and belief, Plaintiffs confidently allege that many thousands have  
8 been assaulted in LYFT vehicles in the United States and LYFT officers, directors and/or managing  
9 agents are aware that several thousands of women have been assaulted in Lyft vehicles. LYFT officers,  
10 directors and/or managing agents have hidden those facts and numbers from their customers and  
11 passengers.

12 40. LYFT corporate management, including LYFT officers, directors and/or managing  
13 agents, has failed to implement the most basic and rudimentary procedures for the proper investigation  
14 of sexual assaults that are reported in their vehicles.

15 41. LYFT has continued to let sexual predators drive and interact with vulnerable members  
16 of the public after they have received reports of sexual assaults by these predatory drivers. In many  
17 cases, LYFT has allowed sexual predators and assailants to continue driving after LYFT learned of the  
18 assaults committed by those drivers.

19 42. Corporate decision-making with respect to passenger safety issues is centered at LYFT's  
20 corporate headquarters in San Francisco. Corporate decision-making with respect to policies and  
21 procedures for training and supervising drivers regarding sexual assault are centered at LYFT's  
22 corporate headquarters in San Francisco. Corporate decision-making with respect to how LYFT  
23 responds to complaints of sexual assault is centered at LYFT's corporate headquarters in San Francisco.  
24 Corporate decision-making with respect to how LYFT's choses to stonewall and fail to cooperate with  
25 law enforcement investigating assaults of their drivers is centered at LYFT's corporate headquarters in  
26 San Francisco. Decisions with respect to the vetting of LYFT drivers and the supervision and non-  
27 supervision of LYFT drivers *vis a vis* the safety of its passengers are made and implemented in its San  
28 Francisco headquarters. Corporate decision-making with respect to LYFT's decision not to report

1 assaults that they are aware of to law enforcement and other ride sharing companies that employ the  
2 assailants is centered at LYFT's corporate headquarters in San Francisco. Decisions with respect to the  
3 design of the LYFT App and implementation of changes with the LYFT App that effect passenger  
4 safety are made and implemented in its San Francisco headquarters. Corporate decision-making with  
5 respect to LYFT's policies and procedures to allow reported sexual predators to continue to drive for  
6 LYFT is centered at LYFT's corporate headquarters in San Francisco. Decisions regarding LYFT's  
7 contract with LYFT customers specifies that the agreement should be governed by California law. The  
8 specific officers, directors and/or managing agents responsible for the policies and procedures guiding  
9 LYFT are centered at LYFT's corporate headquarters in San Francisco.

10 **INADEQUATE SAFETY PRECAUTIONS AND INADEQUATE SCREENING**

11 43. The hiring of LYFT drivers occurs without any real screening. Potential drivers merely  
12 fill out a form online. There is no interview either in person or through a video call, i.e. Skype or  
13 FaceTime. There is no adequate background check and no biometric fingerprinting. Almost all online  
14 applicants become drivers. Once a LYFT applicant becomes a driver, LYFT fails to utilize its own  
15 technology, including in car cameras and GPS tracking, to ensure that drivers keep the camera running  
16 during the entire ride and that the driver remains on course to the passenger's destination.

17 44. LYFT, including LYFT officers, directors and/or managing agents, does not have a zero-  
18 tolerance policy for sexual misconduct and has allowed drivers who have been reported to have  
19 committed rape and sexual assault to continue driving.

20 45. LYFT, including LYFT officers, directors and/or managing agents, does not require non-  
21 harassment training. LYFT does not adequately investigate customer complaints of sexually  
22 inappropriate behavior or serious sexual assaults. Notwithstanding LYFT's history of hiring sexual  
23 predators who have assaulted LYFT passengers, and notwithstanding the obvious and open subculture  
24 of LYFT drivers  
25 who harbor a sexual motivation for driving female passengers, LYFT does nothing to warn its female  
26 passengers about this very serious and real danger.

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1 LYFT'S FINANCIAL MODEL

2 46. The key to LYFT's business model is getting as many new LYFT drivers on the road as  
3 possible. The more LYFT drivers and LYFT rides equals more money LYFT makes. Unfortunately,  
4 more careful screening and supervision would result in fewer drivers and lower profits.

5 47. LYFT also has a high turnover among its drivers because they are not well paid and  
6 often move on to other jobs. As a result, and in order to keep the number of drivers on the road at a  
7 maximum level, LYFT's business model is designed to accept as many new drivers as possible and to  
8 keep as many existing drivers working for LYFT as possible. Unfortunately, LYFT, including LYFT  
9 officers, directors and/or managing agents, prioritizes profits over passenger safety. That is why LYFT  
10 corporate management has made deliberate decisions to adopt inadequate initial screening procedures,  
11 inadequate safety monitoring, and has failed to warn customers of the dangers of riding with LYFT.

12 LYFT'S CONTROL OVER ITS DRIVERS

13 48. LYFT exercises significant control over its drivers. LYFT executives set all of the fare  
14 rates. Drivers have no input on the fares charged and no ability to negotiate fares with customers. Fees  
15 are standardized based on mileage and or ride time, similar to taxis.

16 49. LYFT collects a percentage fee for every ride. LYFT does not charge drivers a fee to  
17 become a LYFT driver and LYFT does not charge drivers to use the LYFT App.

18 50. LYFT drivers are prohibited from answering passenger inquiries about booking rides  
19 outside of the LYFT App.

20 51. LYFT has the power to terminate drivers with or without cause.

21 52. LYFT drivers are expected to accept all ride requests while they are logged into the App.  
22 Drivers who reject or cancel too many ride requests risk facing discipline, including suspension or  
23 termination.

24 53. LYFT provides its drivers with and requires them to use and display LYFT branding  
25 materials in order to make their drivers easily identifiable as LYFT drivers.

26 54. LYFT also allows for passengers to provide comments to LYFT regarding their  
27 experience with the LYFT driver. These comments are not shared with other passengers. Passengers are  
28 not provided with any information regarding their driver other than a photograph, and other basic



1 information about the car. Passengers are not informed about prior complaints concerning particular  
2 drivers.

3 55. Within the App, LYFT does not tell passengers whether their comments regarding  
4 drivers are shared with drivers, resulting in a ride share culture where passengers are fearful that giving  
5 honest negative feedback could negatively impact their passenger star rating or result in retaliation from  
6 the driver.

### 7 NO MONITORING OF RIDES

8 56. Given LYFT's, including LYFT officers, directors and/or managing agents, knowledge  
9 of the sexual assaults and rapes of its customers by LYFT drivers, the company should have  
10 implemented a monitoring system in order to protect its passengers. LYFT understands that many  
11 assaults occur when drivers deviate from their route and turn off the ride and App before the passenger  
12 destination is reached. LYFT also knows that assaults are much less likely to occur if drivers understand  
13 they are being recorded or watched. As a transportation and technology company with access to a state-  
14 of-the-art in-app tracking system, as well as a camera within the required mobile device, LYFT could  
15 take the following simple steps towards the elimination of the sexual assaults and protecting their  
16 passengers:

- 17 • Adopt a zero-tolerance policy for improper conduct and inform all drivers of the policy;
- 18 • Implement a surveillance camera within the App that can audio and video record all rides and  
19 have footage saved and accessible for up to 72 hours after each ride. Implement rules requiring  
20 drivers to have this system on at all times while in their vehicles.
- 21 • Inform all drivers that if they turn off the surveillance system during a LYFT ride, they will  
22 never drive for LYFT again;
- 23 • Inform drivers that they may not leave the car and accompany a passenger to their home or to  
24 any other location outside the vehicle, other than to provide temporary and time-limited  
25 assistance to a passenger;
- 26 • Modify the functionality of the app so that LYFT can determine immediately if a driver deviates  
27 from these protocols;

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- 1 • When a driver goes off course or ends a ride before the destination, a warning alert is sent to the  
2 driver that their location has been mapped and that they should report the reason for the  
3 deviation;
- 4 • When a driver goes off course or ends a ride before the destination, a message should be sent to  
5 the passenger checking in on them.

6 57. The ongoing sexual attacks by LYFT drivers are and have long been known to LYFT  
7 and LYFT's officers, directors and/or managing agents. Prior to the assaults on the plaintiffs alleged  
8 herein, LYFT has known that a consequence of its business model has been exposing women, who are  
9 using the business for a safe ride home, to drivers that may take advantage of their vulnerable position.  
10 Despite being a company that holds itself out to the public as being engaged in the safe transportation of  
11 its customers from place to place for compensation, LYFT, at the direction of LYFT's officers, directors  
12 and/or managing agents, has failed to take any reasonable precautions to attempt to prevent harm to its  
13 passengers.

14 58. At the time of the actions alleged in this complaint LYFT, and LYFT's officers, directors  
15 and/or managing agents, was aware of the established occurrence of sexual assault of its female  
16 passengers by its drivers but failed to take any reasonable action to protect its passengers from these  
17 assaults and violations.

#### 18 MISREPRESENTATIONS AS TO SAFETY

19 59. In addition to inadequate background check procedures, LYFT affirmatively induces  
20 passengers, particularly young, unaccompanied, intoxicated, and/or vulnerable women, to use its  
21 services with the expectation of safety, while LYFT simultaneously knows that sexual abuse of its  
22 passengers has been prevalent.

23 60. In February 2015, LYFT's website posted a blog post announcing it had partnered with  
24 *It's On Us*, an anti-sexual assault initiative, and offered free ride credits for new Lyft passengers during  
25 the Spring Break season, "making it easier to get a safe ride home even if you're in a new city." In  
26 November 2016, LYFT's website posted a blog post entitled "Get Home Safely with Lyft," again  
27 touting its partnership with *It's On Us* and offering college students free LYFT rides so that they "don't  
28 need to worry about finding a safe ride after going out." The insinuation of these articles is that LYFT

1 prevents, and does not create, the risk of sexual assault. Nowhere on LYFT's website does LYFT  
2 discuss the occurrence or risk of sexual assault by LYFT's drivers. As a result, many women, like  
3 Plaintiffs, enter LYFT cars unaccompanied and often after drinking with the expectation that they will  
4 not be harassed, propositioned, kidnapped, attacked, stalked, raped or worse by LYFT's drivers.

5 61. Further, LYFT does not report statistics about sexual harassment or sexual assault by its  
6 drivers. LYFT does not disclose its policies or procedures on dealing with sexual assault by its drivers.  
7 LYFT does not properly train its customer service representatives on how to deal with serious  
8 allegations of driver misconduct. As a result, passengers who report sexual abuse by a driver have been  
9 later matched with the same driver, and dangerous drivers continue to drive with LYFT and continue to  
10 assault passengers while LYFT profits from their actions. At the time of the attacks on the plaintiffs as  
11 alleged herein, LYFT's guidelines for their drivers made no mention of sexual harassment or assault  
12 guidelines.

13 62. In short, LYFT fails to follow reasonable safety procedures and intentionally induces  
14 customers to use LYFT's services while in a vulnerable state. As a result, plaintiffs, and women like  
15 them are sexually harassed and sexually assaulted by LYFT's drivers. Additionally, LYFT does not  
16 inform UBER or other transportation networking companies when they suspend/terminate a driver,  
17 thereby allowing drivers to seamlessly shift from the LYFT App to the UBER App without any  
18 repercussions.

### 19 LYFT'S BACKGROUND CHECKS

20 63. LYFT relies on a quick, name-based background check process to screen its applicant  
21 drivers and has continuously refused to adopt an industry-standard, fingerprint-based background check  
22 qualification process.

23 64. LYFT's background check process requires drivers to submit personal identifiers (driver  
24 license number and Social Security Number) through an online webpage. LYFT, in turn, provides this  
25 information to third-party vendors to perform a basic, name-based background check.

26 65. Neither LYFT nor the third-party vendors it uses for background checks verifies that the  
27 information provided by applicants is accurate or complete. The turnaround time for a LYFT  
28 background check is typically between 3-5 days.

1           66. The difference between name-based background checks and fingerprint-based  
2 background checks is significant. While a name-based background check searches the applicant's  
3 reported name against various databases and compares records that have the same name, a fingerprint-  
4 based background check (or biometric check) uses the fingerprints of the individual to match against a  
5 law enforcement database, comparing records that have the same print, even if the names are different.

6           67. For example, most prospective taxi drivers are required by the taxicab companies to  
7 undergo criminal background checks that require the driver to submit fingerprints through a technology  
8 called "Live Scan." The fingerprint images are used to automatically search against all other fingerprint  
9 images in government criminal record databases, including databases maintained by state law  
10 enforcement and the Federal Bureau of Investigation (FBI). The FBI's database includes criminal  
11 record information from all 50 states, including sex offender registries. If a person has a criminal history  
12 anywhere in the U.S., it will register as a match.

13           68. Fingerprints are not only a highly accurate way to confirm an individual's identity, they  
14 are also universally used among state and federal government agencies. This allows for the highest  
15 levels of information-sharing among all relevant agencies, an element that is lacking when fingerprints  
16 are not used to verify identities.

17           69. Because of the unique identifying characteristics of fingerprints, the Live Scan process  
18 provides assurance that the person whose criminal history has been run is, in fact, the applicant. This  
19 would ensure that a convicted rapist or sexual predator could not use a false identification to become a  
20 LYFT driver.

21           70. Name-based background checks, on the other hand, are limited and not easily shared  
22 among the appropriate authorities. These name-based criminal background checks are performed on  
23 publicly available databases and records from county courthouses, which are not linked to each other  
24 and typically do not go back past seven years. Because the FBI database is not accessed, there is no true  
25 national search performed, making these searches incomplete, limited and inaccurate.

26           71. Name-based background checks present systematic, fundamental problems. First, there is  
27 no way to positively identify a person via a biometric indicator, increasing the likelihood of fraud.  
28 Likewise, because names, addresses and birthdays are not unique, the likelihood of false positives (a

1 person linked in error with another's record) and false negatives (someone getting cleared when they  
2 should not) are greatly increased. For example, if an individual changes names, or for some other reason  
3 has a criminal history under a different name, the name-based checks can miss the individual's criminal  
4 history.

5 72. LYFT, at the direction of LYFT officers, directors and/or managing agents, has refused  
6 to adopt fingerprint-based biometric checks and has in fact spent millions of dollars lobbying against  
7 local regulations requiring these checks.

8 73. Despite advertising to passengers that "Your safety is important" and "Safety is our top  
9 priority," LYFT's background check process is designed for speed, not safety. In refusing to adopt  
10 reasonable safety procedures, LYFT makes clear that its priority is profit, not passenger safety.

11 74. By failing to take reasonable steps to confront the problem of multiple rapes and sexual  
12 assaults of LYFT passengers by LYFT drivers, LYFT and LYFT's officers, directors and/or managing  
13 agents, have acted in conscious disregard of the safety of its passengers, including plaintiffs, and has  
14 breached its duty of reasonable care and has breached the implied and express covenants arising from  
15 its contract with its passengers.

16 75. LYFT is legally responsible for the harm to plaintiffs under a number of legal theories  
17 including vicarious liability for the intentional acts of its employees (battery and assault) basic  
18 negligence for failing to act with reasonable care when faced with multiple and ongoing attacks by its  
19 drivers, breach of the non-delegable duty of a transportation company to provide safe passage to its  
20 passengers, punitive damages for the conscious disregard of the safety of its female passengers,  
21 intentional and negligent misrepresentations and breaches of contract, and express and implied  
22 covenants arising out of its commercial contracts with its passengers, including plaintiffs.

23 76. LYFT, at the direction of LYFT's officers, directors and/or managing agents, has  
24 embraced wide ranging policies and procedures that seek to silence victims that have been sexually  
25 assaulted by their drivers.

#### 26 **MANDATORY REPORTING OF SEXUAL ASSAULT**

27 77. The benefits, reasoning and rationale for mandatory reporting of sexual assault is  
28 undisputed and well documented. One of the most obvious reasons for the policy of mandatory

1 reporting of sexual assault is stopping sexual assault and preventing future sexual assault and the lives  
2 that can be destroyed by sexual assault. A policy of mandatory reporting helps stop the predators that  
3 commit sexual assault. Despite the knowledge that adopting a policy of mandatory reporting will help  
4 prevent future assaults and increase passenger safety, LYFT, at the direction of LYFT's officers,  
5 directors and/or managing agents, has adopted a policy that is the opposite of mandatory reporting.  
6 LYFT does not report allegations of rape and brutal sexual assault to the police. Instead, LYFT makes  
7 every effort to hide and conceal these sexual assault reports from law enforcement, the public, media  
8 and our courts.

9 78. LYFT understands that their drivers often drive for UBER and other ridesharing  
10 companies. Lyft also understands that sexual predators are likely to continue committing sexual assault.  
11 Despite the knowledge of the benefits of reporting sexual assailants, LYFT does not report sexual  
12 assaults and rapes to law enforcement and does not share information regarding sexual assaults and  
13 rapes with other ridesharing companies despite the knowledge that these drivers are employed by other  
14 ridesharing companies. LYFT, at the direction of LYFT's officers, directors and/or managing agents,  
15 has adopted a policy which knowingly chooses to hide and conceal the identities of the drivers that rape  
16 and sexually assault LYFT passengers.

17 79. Any ridesharing company such as LYFT that is concerned about public safety and has  
18 more sexual assaults than almost any other company in US history would adopt a zero-tolerance policy  
19 and have mandatory reporting of sexual assaults to law enforcement and other ride sharing companies.  
20 Instead, LYFT' officers, directors and/or managing agents have chosen to sacrifice the lives of sexual  
21 assault victims in the hope of deriving additional profits.

22 **STONEWALLING LAW ENFORCEMENT**

23 80. LYFT's attempts to conceal the problem of the sexual assault crisis is not limited to the  
24 public and media. This effort to conceal from the public extends to LYFT's lack of cooperation with  
25 law enforcement detectives that investigate these cases. LYFT has no policy to report crimes of rape  
26 and other sexual assaults to law enforcement after those crimes are reported to them. Additionally,  
27 LYFT has failed to provide records and documentation regarding sexual predators that have committed  
28 multiple assaults that are critical for law enforcement investigations. The net effect of LYFT's attempts

1 to protect and conceal the reports of sexual predators from law enforcement is that dangerous sexual  
2 predators continue to rape, sexually assault and ruin lives.

3 81. A responsible and reasonable company that is concerned about public safety cooperates  
4 with law enforcement and shares the public's interest in stopping sexual predators. LYFT, at the  
5 direction of LYFT's officers, directors and/or managing agents, has chosen another path. Lyft delays  
6 and restricts their correspondence with police until a court order/search warrant is authorized. In many  
7 cases, LYFT requires a subpoena or formal legal order to provide information police may need for an  
8 investigation. Many of the assault victims in this complaint have been told by the detectives handling  
9 their case that LYFT's Trust and Safety team are often unresponsive to the detective's requests.

10 82. LYFT often erases the victim's complaint from their App and does not send them a copy  
11 of what they sent to LYFT regarding the assault. In these cases, the victim has no way to access or  
12 retrieve their original complaint about the accused perpetrator which delays the police investigation.

13 83. After a victim has reported a rape or sexual assault, LYFT often disables the victim's  
14 account. This restriction prohibits the victim from accessing key information about their perpetrator  
15 including the name, photo, make and model of car, etc. which is needed for law enforcement  
16 investigation. This further hampers law enforcement investigation.

17 84. LYFT does not provide the assaulted passenger with the driver's license plate number  
18 which makes it difficult for law enforcement to identify the subject. Also, after the LYFT ride is  
19 completed, the trip receipt does not list the license plate number or the make/model of the car. It only  
20 has the driver's first name and photo, again making it hard for the police to identify LYFT's drivers.

21 85. LYFT is fully aware of the facts regarding their stonewalling and hampering law  
22 enforcement investigations as described above. LYFT, at the direction of LYFT's officers, directors  
23 and/or managing agents, knowingly protects the sexual predators that drive for them.

24 86. The LYFT ride-hailing platform is a haven for sexual predators preying on vulnerable  
25 women.

26 **LYFT POLICY TO SILENCE VICTIMS**

27 87. Many people that are sexually assaulted do not report the incident because of the stigma  
28 attached to sexual assault. Only a minority of courageous people that are sexually assaulted come

1 forward to report the assault. It is well known that sexual assault victims suffer tremendous mental and  
2 psychological trauma as a result of being victimized by sexual assault. For this reason, any responsible  
3 organization, corporation or entity that takes calls from sexual assault victims should have trauma  
4 informed and trained persons in sexual trauma to handle those calls.

5 88. Despite the hundreds and thousands of calls reporting sexual assault to their company,  
6 LYFT has untrained operators acting as first responders that take the calls from traumatized sexual  
7 assault survivors. These untrained operators have no concept or understanding of how to communicate  
8 with a sexual assault survivor. Oftentimes sexual assault victims get automated and recorded messages.  
9 All of the above is part of LYFT's effort to silence victims.

10 89. In addition to the above allegations, LYFT incorporates other methods to silence victims  
11 that come forward to report sexual assault by their drivers. Oftentimes when a victim comes forward  
12 and reports a sexual assault or rape, LYFT responds by turning off or deactivating the victim's LYFT  
13 App.

14 90. When a victim has the courage to come forward to report the assault, LYFT does not tell  
15 the victim to the report the incident to the police or other law enforcement. Rather, LYFT tells the  
16 sexual assault victim that they will investigate the incident and get back to them. Unfortunately, LYFT  
17 does not get back to the victim despite their promise to do so. The victim never hears from LYFT about  
18 the incident again.

19 91. LYFT often erases the victim's complaint from their App. LYFT employs all of the  
20 above policies to silence victims.

21 **LYFT RESPONDS INADEQUATELY TO RIDER REPORTS OF SEXUAL ASSAULT**

22 92. LYFT riders who report sexual harassment or sexual assault to LYFT's Trust & Safety  
23 Team are often left feeling no better off than had they not reported at all.

24 93. According to recent media reports, these women, who feel their reports are falling on  
25 deaf ears, are turning to twitter to voice their complaints. Even these reports of sexual assault seem to  
26 fall flat to LYFT who responds to each with the same response: "The safety of our community is our  
27 top priority."

28 ///



1 94. Even if LYFT does respond to a woman who was reported a rape, sexual harassment, or  
2 sexual assault, the response, largely, follows the same script focusing on vague rhetoric about safety  
3 being a top priority. LYFT more often than not, does not tell the victim what steps LYFT conducts in  
4 an investigation, does not tell the victim if there have been other allegations against the same driver, and  
5 does not tell the victim whether the driver has been removed from the platform.

6 95. According to media reports, LYFT employees who work in the Trust & Safety Team  
7 receive approximately two weeks of training, but none of that training dealt with how to speak with  
8 victims of sexual assault or how to handle sexual harassment claims.

9 96. On information and belief, LYFT's 'investigations' into reports of rape and sexual  
10 assault amount to nothing more than following up with the rider and the driver and checking to see if  
11 the driver has any previous complaints against him.

12 97. The results of these 'investigations' are not shared with the reporting victim, law  
13 enforcement, or other ridesharing companies which would not only aid in actual law enforcement  
14 investigations, but would ensure that drivers with a history of rape and sexual assault are not allowed to  
15 continue driving and assaulting additional future victims.

17 **LYFT'S SAFETY MEASURES CONTINUE TO BE INADEQUATE TO PROTECT AGAINST**  
18 **SEXUAL ASSAULT AND RAPE IN THEIR VEHICLES**

19 98. LYFT's newly enacted safety measures continue to fall short of protecting female  
20 passengers from being sexually assaulted by their LYFT driver.

21 99. In response to previous lawsuits filed against LYFT alleging rape and sexual assault,  
22 LYFT's head of Trust & Safety, Mary Winfield, stated in September "as a platform committed to  
23 providing safe transportation, we hold ourselves to a higher standard by designing products and policies  
24 to keep out bad actors, make riders and drivers feel safe, and react quickly if and when an incident does  
25 occur."

26 100. Despite LYFT's 'higher standard' women, including some Plaintiffs herein, continue to  
27 be raped and sexually assaulted in LYFT vehicles by LYFT drivers.

1 101. LYFT's officers, directors and/or managing agents have still not chosen to implemente  
2 biometric fingerprint or Live Scan background checks.

3 102. LYFT's newly announced standardized protocol for determining whether or not to ban  
4 drivers from the platform may pose a continued threat to passengers. The standardized protocol will  
5 introduce a black and white decision structure reducing the ability to implement a human judgment call  
6 based on a pattern of similar complaints of the same driver.

7 103. This new standardized protocol for dealing with complaints of sexual assault could, and  
8 likely will result in dangerous sexual predators remaining on LYFT's platform until a more serious  
9 incident, like a rape occurs.

10 **LYFT FAILS TO PARTICIPATE IN TRANSPORTATION NETWORK COMPANY SAFETY**  
11 **HEARINGS**

12 104. On October 16, 2019 at 10:00 AM, the Subcommittee on Highways and Transit of the  
13 United States House of Representatives Committee on Transportation and Infrastructure held a hearing  
14 entitled "Examining the Future of Transportation Network Companies: Challenges and Opportunities"  
15 ("the Hearing").

16 105. The aim of the Hearing was to discuss safety challenges and opportunities to protect both  
17 rideshare passengers and drivers across the country as well as to discuss legislation that has been  
18 proposed to achieve greater safety and regulations of TNCs.

19 106. The Subcommittee on Highways and Transit invited both Uber and LYFT to participate  
20 in the Hearing in order to answer the Subcommittee's questions, and provide the TNC perspective on  
21 safety and regulations.

22 107. Despite the obvious intent of the Subcommittee to increase the safety of rideshare for its  
23 passengers and customers, LYFT refused to meet before the subcommittee. As a result, the  
24 Subcommittee's questions were left unanswered. LYFT refused to appear because passenger and  
25 customer safety is not, and has never been, a priority or concern for LYFT.

26 108. On October 17, 2019, the Subcommittee sent to LYFT a list of questions that went  
27 unanswered and requested LYFT respond, in writing, to become part of the record of the Hearing.  
28 Many of the questions posed to LYFT were regarding LYFT's position of the safety of their passengers:

1 Public Safety: The hearing highlighted the growing number of news reports of alleged  
2 assaults on passengers who utilize TNCs. At the hearing, Paul Miller, Legislative Counsel  
3 with the Transportation Alliance, noted that when a taxi driver is involved in an accident or  
4 alleged assault against a passenger, not only are local police on-site but the taxi commission  
5 conducts oversight as well. For TNCs, alleged assaults or crimes are not documented as  
6 TNC-related, even if reported to local authorities. The only comprehensive data source of  
7 passenger-reported assaults and other incidents against Lyft drivers resides with your  
8 company.

- 9
- 10 4. Do you support making the number of reported crimes perpetrated by drivers  
11 against passengers you have received publicly available?
  - 12 5. Do you support local authorities tracking incidents that occur on hailed rides in  
13 order to provide law enforcement with better data to inform their public safety  
14 strategies?
  - 15 6. Do you track the type and frequency of passenger-reported crimes perpetrated by  
16 drivers you receive? If not, please explain why.
  - 17 7. Please provide data on the total number of incidents involving alleged crimes  
18 against riders by drivers you have received, to date, broken down by type.
  - 19 8. What is your specific process for reviewing alleged incidents of violence, assault, or  
20 harassment reported by Lyft passengers? What is your specific process for  
21 reviewing complaints and alleged incidents by Lyft drivers? What is your specific  
22 protocol for when and how to refer incidents to law enforcement?

23 9. What is your specific protocol to follow up with drivers who have been accused of  
24 harassment, assault, or violence? What is your specific protocol to deactivate a  
25 driver?

26 (Oct. 17, 2019 Subcommittee on Highways and Transit Letter to Logan Green)

## 27 THE ATTACKS UPON PLAINTIFFS

### 28 JANE ROE 1

109. On September 26, 2019 plaintiff JANE ROE 1 used the ridesharing service offered by  
defendant LYFT and DOES 1 through 100. After a friend of JANE ROE 1 used the LYFT App to  
summon a driver, a LYFT driver named Luiz picked up plaintiff JANE ROE 1 within Los Angeles,  
California. While in route to JANE ROE 1's destination, plaintiff JANE ROE 1 was sexually assaulted  
by the above-named LYFT driver who had responded to her friend's request made through the LYFT  
App.

1           110. On the evening of September 25, Plaintiff JANE ROE 1 was out with friends after work.  
2 She was with a close friend at a bar in Culver City, Los Angeles, California until approximately 1:30am  
3 on September 26, 2019. Plaintiff JANE ROE 1's friend decided to call for a LYFT to pick Plaintiff  
4 JANE ROE 1 from the bar and take her home. Plaintiff JANE ROE 1 was intoxicated and fell asleep in  
5 the back seat of the LYFT vehicle on the way home. She woke up and recognized that she was in her  
6 neighborhood. The LYFT driver started hitting on her, telling Plaintiff JANE ROE 1 that she was "so  
7 pretty" and "so cute." Plaintiff JANE ROE 1 responded that she was married and showed him her  
8 wedding ring. Plaintiff JANE ROE 1 fell asleep in the backseat again. She woke up and the LYFT  
9 driver was on top of her, with his tongue in her mouth. She shouted "Get off of me! I have to go!" The  
10 LYFT driver jumped out of the car, got back in the front seat, and started driving again. Plaintiff JANE  
11 ROE 1 fell in and out of consciousness, and woke up looking out the window and not recognizing  
12 where she was. She was very confused, feeling sick and threw up. About that same time, police lights  
13 came on and pulled the LYFT vehicle over. The driver was arrested at approximately 3:00am. Plaintiff  
14 JANE ROE 1 was still confused, and her husband appeared with the police.

15           111. Unbeknownst to Plaintiff JANE ROE 1 at the time of the assault, her husband, Plaintiff  
16 JOHN ROE, was waiting for her to arrive home. He was texting with the friend who summoned the  
17 LYFT vehicle that was supposed to be bringing Plaintiff JANE ROE 1 home. According to the LYFT  
18 application, the ride showed that the LYFT driver had dropped Plaintiff JANE ROE 1 off at home.  
19 Plaintiff JOHN ROE went downstairs to see if she had lost her keys and was unable to get in. When he  
20 arrived downstairs he saw the LYFT vehicle with two people in the backseat and started walking  
21 towards it. When he got close, the LYFT driver Luiz jumped into the front seat and sped off. Plaintiff  
22 JOHN ROE realized that the other person in the backseat was his wife, Plaintiff JANE ROE 1 who was  
23 passed out. He immediately called the police.

24           112. Both Plaintiff JOHN ROE and the police were trying to contact LYFT to get information  
25 about the LYFT vehicle so that an All-Points Bulletin could be issued, and police around the city could  
26 search for Plaintiff JANE ROE 1. Despite repeated requests from John Roe and the police, LYFT failed  
27 to provide any information.

28 ///

1 113. Plaintiff JANE ROE 1 has very little knowledge of what happened to her that night  
2 because of how intoxicated she was. She is unsure the extent of the sexual assault, but underwent a  
3 SART exam, and continues to have tests run to make sure she is healthy.

4 114. LYFT never informed JANE ROE 1 whether this driver continues to drive for LYFT.  
5 This predator may still be driving for LYFT.

6 115. JANE ROE 1 suffers emotional trauma following this assault. She is fearful, anxious,  
7 and suffers from sadness and confusion over this assault. As a result of the assault, she had to undergo  
8 medical procedures. ROE 1's injuries required medical treatment and will require medical treatment in  
9 the future. Plaintiff JANE ROE 1 does not yet know the reasonable value of the past or future medical  
10 and incidental expenses but will prove the value of such losses at the time of trial.

11 116. LYFT's actions were a substantial factor in the harm that JANE ROE 1 suffered. JANE  
12 ROE 1 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
13 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
14 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally  
15 JANE ROE 1 has suffered past lost earnings and will suffer future lost earnings and earning  
16 potential. JANE ROE 1 is entitled to damages for such harm.

17 **JOHN ROE**

18 117. On the evening of September 25, 2019, Plaintiff JOHN ROE was at the home he shares  
19 with his wife in Los Angeles, California. He knew that his wife was out with friends and would be  
20 home late. He was expecting her home at approximately 2:00am on the morning of September 26,  
21 2019.

22 118. Plaintiff JOHN ROE was texting with his wife's friend who had called wife a  
23 LYFT vehicle to bring her home as she was intoxicated and could not drive herself. The friend  
24 informed JOHN ROE that the LYFT application showed that his wife had been dropped off at home. It  
25 was now shortly after 2:00am. Plaintiff JOHN ROE became worried that his wife has lost her keys or  
26 was unable to get into their home. He went outside to look for her.

27 119. Upon arriving outside, Plaintiff JOHN ROE was texting with his wife's friend, asking  
28 what kind of vehicle his was should be arriving in. She told JOHN ROE it should be a Hyundai Elantra,

1 which Plaintiff JOHN ROE believed he saw across the street from their complex. He began walking  
2 towards the vehicle.

3 120. Plaintiff JOHN ROE could see two people in the backseat of the vehicle. When he got  
4 close, one person, later discovered to be the LYFT driver, Luiz, jumped out of the backseat, and into the  
5 front. Plaintiff JOHN ROE then saw that the other person in the vehicle was his wife, Plaintiff JANE  
6 ROE 1. The LYFT driver then sped off with Plaintiff JOHN ROE's wife, Plaintiff JANE ROE 1 still in  
7 the backseat of the vehicle.

8 121. Plaintiff JOHN ROE became incredibly worried and concerned for the safety of his wife.  
9 He suffered anguish, fright, and fear because he was unsure what the LYFT driver intended to do with  
10 his wife, and was scared he may never see his wife again.

11 122. Plaintiff JOHN ROE called the police, who came to the home. The police tried to call  
12 LYFT to get a license plate number for the LYFT vehicle that has driven off with Plaintiff JANE ROE  
13 1. LYFT would not provide any information that would help the police find Plaintiff JOHN ROE's  
14 wife.

15 123. After what seemed like an eternity the police informed Plaintiff JOHN ROE they may  
16 have found the LYFT vehicle. The police took Plaintiff JOHN ROE to identify the vehicle. It was now  
17 approximately 3:00am, and his wife had been missing form nearly 45 minutes. When Plaintiff JOHN  
18 ROE arrived at the scene, he identified the vehicle, and was finally reunited with his wife, who was  
19 intoxicated, and unsure of what was going on. The LYFT driver was arrested.

20 124. As a result of the LYFT driver taking his wife, Plaintiff JOHN ROE suffered severe  
21 emotion distress including suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, and  
22 shock. LYFT's actions were a substantial factor in the harm that JOHN ROE 1 suffered. JOHN ROE 1  
23 is entitled to damages for such harm.

24 **JANE ROE 2**

25 125. On February 10, 2019, plaintiff JANE ROE 2 used the ridesharing service offered by  
26 defendant LYFT and DOES 1 through 100. After JANE ROE 2 used the LYFT App to summon a  
27 driver, a LYFT driver named Oscar D. Salguero picked up plaintiff JANE ROE 2 and while within  
28 Worcester County, Massachusetts and in route to JANE ROE 2's destination, plaintiff JANE ROE 2

1 was raped by the above-named LYFT driver who had responded to her request made through the LYFT  
2 App.

3 126. JANE ROE 2 was out with a friend and tenant in Millbury, MA, which is within  
4 Worcester County, MA. She had too much to drink, so she called a LYFT at some point between  
5 1:00am and 2:25am to take her home. The LYFT driver Oscar D. Salguero raped plaintiff in the back  
6 seat of the LYFT vehicle. JANE ROE 2 was in shock and disbelief at what was happening. She  
7 thought of her child and the belief that she was going to be killed and made a split-second decision to  
8 fight back. When JANE ROE 2 began to fight back, the LYFT driver fought back, and the two tumbled  
9 out of the car. The LYFT driver tried to slam his door shut, but JANE ROE 2's arm was in the door.  
10 He drove and dragged Jane 2 but was finally able to get away. She was left laying in the street. He also  
11 threw her LapTop and purse into the road and then proceeded to run over them. Her belongings were  
12 strewn across the street.

13 127. JANE ROE 2 crawled to a nearby house, and awoke the resident, telling the female  
14 occupant that she was just raped by her LYFT driver. JANE ROE 2 was curled up in the fetal position  
15 on the woman's front porch, crying and terrified. The woman called the police, who arrived to find  
16 JANE ROE inconsolable.

17 128. JANE ROE 2 was taken by the police to have a rape kit done. She was noted to have  
18 bruises and abrasions on her legs during the exam.

19 129. Oscar D. Oswego was charged with rape and incident assault and battery of a person  
20 over 14. Ultimately, he pled guilty and was sentenced to prison.

21 130. Plaintiff JANE ROE 2's injuries required medical treatment and will require medical  
22 treatment in the future. Plaintiff JANE ROE 2 does not yet know the reasonable value of the past or  
23 future medical and incidental expenses but will prove the value of such losses at the time of trial.

24 131. LYFT's actions were a substantial factor in the harm that JANE ROE 2 suffered. JANE  
25 ROE 2 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
26 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
27 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,

28 ///

1 JANE ROE 2 has suffered past lost earnings and will suffer future lost earnings and earning  
2 potential. JANE ROE 2 is entitled to damages for such harm.

3 **JANE ROE 3**

4 132. On January 25, 2019, plaintiff JANE ROE 3 used the ridesharing service offered by  
5 defendant LYFT and DOES 1 through 100. After JANE ROE 3 used the LYFT App to summon a  
6 driver, a LYFT driver named Conway, last name unknown but to be alleged after discovery in this  
7 litigation, picked up plaintiff JANE ROE 3 and while within Los Angeles, California and in route to  
8 JANE ROE 3's destination, plaintiff JANE ROE 3 was raped by the LYFT driver (Conway) who had  
9 responded to her request made through the LYFT App.

10 133. JANE ROE 3 was in Los Angeles, California for a two-week work training. She  
11 currently resides in Prior Lake, Minnesota, and is unfamiliar with Los Angeles. JANE ROE 3 was out  
12 with co-workers at a bar in the Venice area. She was intoxicated, and her co-workers used her LYFT  
13 app to summon a LYFT to take her back to her hotel. When the LYFT vehicle arrived, the co-workers  
14 matched the driver to the picture on the LYFT app. Plaintiff got in the car, but fell asleep while in the  
15 vehicle.

16 134. JANE ROE 3 awoke in the LYFT vehicle with a different Lyft driver who was not the  
17 LYFT Driver who was on the LYFT app, or the person who initially picked her up. The new LYFT  
18 driver began telling JANE ROE 3 "you're beautiful" and telling her she was 'pretty' and 'gorgeous.'  
19 JANE ROE 3 began to feel scared, and told the driver she needed to vomit, hoping she could get out of  
20 the vehicle. Instead, when the driver pulled over, he stood in front of the open door, preventing JANE  
21 ROE 3 from escaping, but allowing her to vomit. When they got back in the LYFT vehicle, the driver  
22 began groping JANE ROE 3 and then raped her. The driver pulled the LYFT car over and continued to  
23 rape JANE ROE 3. It was now 12:30am the next morning, January 26, 2019, and JANE ROE 3 was  
24 terrified that she would be killed by this driver, so she remained still.

25 135. After the driver assaulted and raped JANE ROE 3 for some period of time, he stopped at  
26 a gas station. While he was in the gas station, a co-worker called JANE ROE 3, she answered, and said  
27 "I am not okay, I am inside the car with him." When the driver got back to the car, he instructed JANE  
28 ROE JANE ROE 3's co-worker to Venmo him money for the ride and texted the co-worker his Venmo



1 information. The driver finally brought JANE ROE 3 back to her hotel. The trip receipt shows that the  
2 ride terminated 2 minutes after it began, and only 3 blocks had been travelled.

3 136. The driver, who JANE ROE 3 later learned was a man named Lofti Ben Yedder, texted  
4 JANE ROE 3 at approximately 1:40 in the morning, about 14 minutes after he brought her back to the  
5 hotel. He told her "it was a real pleasure meeting you."

6 137. JANE ROE 3 reported to the assault to LYFT in the morning on January 26, 2019.  
7 When she provided LYFT the phone number of the driver who assaulted her, they found a LYFT  
8 account associated with that number. The person at LYFT that JANE ROE 3 spoke with was  
9 unsympathetic and offered no real help except to refund JANE ROE 3 \$5.79 for her ride.

10 138. Plaintiff JANE ROE 3 went to the police station to report the rape. The police officers  
11 took JANE ROE 3 to get a SART. The criminal investigation is believed to be ongoing.

12 139. Plaintiff JANE ROE 3's injuries required medical treatment and will require medical  
13 treatment in the future. Plaintiff JANE ROE 3 does not yet know the reasonable value of the past or  
14 future medical and incidental expenses but will prove the value of such losses at the time of trial.

15 140. LYFT's actions were a substantial factor in the harm that JANE ROE 3 suffered. JANE  
16 ROE 3 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
17 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
18 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
19 JANE ROE 3 has suffered past lost earnings and will suffer future lost earnings and earning  
20 potential. JANE ROE 3 is entitled to damages for such harm.

21 **JANE ROE 4**

22 141. On November 12, 2019, plaintiff JANE ROE 4 used the ridesharing service offered by  
23 defendant LYFT and DOES 1 through 100. After JANE ROE 4 used the LYFT App to summon a  
24 driver, a LYFT driver named Ran, last name unknown but to be alleged after discovery in this litigation,  
25 picked up plaintiff JANE ROE 4 and while within Lake Oswego, Oregon, and in route to JANE ROE  
26 4's destination, plaintiff JANE ROE 4 was sexually assaulted by the LYFT driver (Ran) who had  
27 responded to her request made through the LYFT App.

28 ///

1           142. Upon arriving to pick up JANE ROE 3, LYFT's driver (Ran) asked her to cancel the  
2 ride, because his LYFT app was not connecting. She was unable to find the app on her phone, so he  
3 took her phone and cancelled the ride himself. When JANE ROE 3 started to get in the back seat, the  
4 LYFT driver told her to get in the front seat. While in route to JANE ROE 3's home, the LYFT driver  
5 was making small talk, telling her about his DJ business. He then reached over and began to sexually  
6 assault JANE ROE 4. JANE ROE 4 was scared, pinned herself against the passenger door. The LYFT  
7 driver then continued to assault JANE ROE 4. During the entire ride, the LYFT driver (Ran) kept  
8 telling her how pretty she was and continued to assault her. When they finally arrived at her house,  
9 JANE ROE4 ran out of the vehicle and up to her apartment. Before she was even inside, she had a text  
10 from the driver saying to was nice to meet her.

11           143. The following morning, JANE ROE 4 googled the LYFT driver, Ran, and found a string  
12 of complaints about him assaulting other female passengers in his LYFT vehicle.

13           144. JANE ROE 4 reported the sexual assault to LYFT via the LYFT application, telling them  
14 that the LYFT driver had sexually assaulted her. She was informed that her report would be best  
15 directed to a different department, and that her case would be 'forwarded to the appropriate  
16 department.'" JANE ROE 4 received a canned response email from LYFT's Trust and Safety team.

17           145. LYFT responded by saying they would need to investigate the driver first. LYFT did not  
18 tell her if they would remove or restrict him from the platform. JANE ROE 4 has not been informed if  
19 any action has been taken to terminate Ran as a driver from LYFT. She has not been told whether  
20 LYFT is aware of any prior reports of sexual assault perpetrated by their driver, Ran. LYFT never  
21 informed JANE ROE 4 whether this driver continues to drive for LYFT. This sexual predator may still  
22 be driving for LYFT.

23           146. Plaintiff JANE ROE 4's injuries required medical treatment and will require medical  
24 treatment in the future. Plaintiff JANE ROE 4 does not yet know the reasonable value of the past or  
25 future medical and incidental expenses but will prove the value of such losses at the time of trial.

26           147. LYFT's actions were a substantial factor in the harm that JANE ROE 4 suffered. JANE  
27 ROE 4 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
28 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,

1 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
2 JANE ROE 4 has suffered past lost earnings and will suffer future lost earnings and earning  
3 potential. JANE ROE 4 is entitled to damages for such harm.

4 **JANE ROE 5**

5 148. On or about March 24, 2019, plaintiff JANE ROE 5 used the ridesharing service offered  
6 by defendant LYFT and DOES 1 through 100. JANE ROE 5 received a text message notification that a  
7 Crisis Triage center had requested a LYFT ride for her. A LYFT driver named Nicholas G. Johnson,  
8 picked up plaintiff JANE ROE 5 and while within Nashville, Tennessee and in the parking lot of JANE  
9 ROE 5's destination, plaintiff JANE ROE 5 was sexually assaulted by the above-named LYFT driver  
10 who had responded to the request made through the LYFT App.

11 149. JANE ROE 5 was intoxicated at the time of the incident and scared for her personal  
12 safety, so she was on the phone with a crisis center. The crisis center decided to bring her in to speak  
13 with her in person, and they summoned a LYFT for her. The LYFT driver (Nicholas) made small talk  
14 along their drive to the crisis center, and upon arriving at the final destination, he parked in the parking  
15 lot. While parked, the LYFT driver (Nicholas) pulled out his erect penis and made Plaintiff JANE ROE  
16 5 touch his penis. A person from the crisis center found the LYFT vehicle in the parking lot, and  
17 escorted Plaintiff JANE ROE 5 into the center. When she arrived inside, the assault was reported to  
18 police.

19 150. JANE ROE 5 later reported to LYFT by contacting their corporate office. She received a  
20 voicemail from someone in LYFT's Trust and Safety team, but got no real help, and was given no real  
21 answers. JANE ROE 5 has not been informed whether any action has been taken by LYFT to remove  
22 their driver, Nicholas, from the platform. This predator may still be driving for LYFT.

23 151. In 2009, Nicholas G. Johnson was charged with Aggravated Assault with a Deadly  
24 Weapon, a Felony in Tennessee. Had LYFT done a proper background check this assault would have  
25 been discovered and the driver should never have been allowed to transport Plaintiff JANE ROE 5, or  
26 any other passenger.

27 ///

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1 152. Plaintiff JANE ROE 5's injuries required medical treatment and will require medical  
2 treatment in the future. Plaintiff JANE ROE 5 does not yet know the reasonable value of the past or  
3 future medical and incidental expenses but will prove the value of such losses at the time of trial.

4 153. LYFT's actions were a substantial factor in the harm that JANE ROE 5 suffered. JANE  
5 ROE 5 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
6 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
7 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
8 JANE ROE 5 has suffered past lost earnings and will suffer future lost earnings and earning  
9 potential. JANE ROE 5 is entitled to damages for such harm.

10 **JANE ROE 6**

11 154. On September 22, 2019, plaintiff JANE ROE 6 used the ridesharing service offered by  
12 defendant LYFT and DOES 1 through 100. After JANE ROE 6 used the LYFT App to summon a  
13 driver, a LYFT driver named Francisco, last name unknown but to be alleged after discovery in this  
14 litigation, picked up plaintiff JANE ROE 6 and while within Park City, Utah and in route to JANE ROE  
15 6's destination, plaintiff JANE ROE 6 was sexually assaulted by the above-named LYFT driver who  
16 had responded to her request made through the LYFT App.

17 155. JANE ROE 6 requested a LYFT vehicle after a night with her friends. While en route to  
18 JANE ROE 6's house, the LYFT driver, Francisco, began sexually assaulting JANE ROE 6. JANE  
19 ROE 6 was terrified that the LYFT driver would take her somewhere and rape her, so she did not say a  
20 word. Instead JANE ROE 6 pulled herself as close as possible to the door. When they arrived at her  
21 house, JANE ROE 6 ran out of the car, and into her home. She checked all of the windows and doors to  
22 make sure they were locked, and the LYFT driver could not get in.

23 156. Plaintiff reported the sexual assault to LYFT. She received a scripted response, and an  
24 email refunding her the fare, and giving JANE ROE 6 a \$5.00 credit for being sexually assaulted.

25 157. Plaintiff JANE ROE 6's feared for her life and suffered injuries required medical  
26 treatment and will require medical treatment in the future. Plaintiff JANE ROE 6 does not yet know the  
27 reasonable value of the past or future medical and incidental expenses but will prove the value of such  
28 losses at the time of trial.

1 158. LYFT's actions were a substantial factor in the harm that JANE ROE 6 suffered. JANE  
2 ROE 6 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
3 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
4 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
5 JANE ROE 6 has suffered past lost earnings and will suffer future lost earnings and earning  
6 potential. JANE ROE 6 is entitled to damages for such harm.

7 **JANE ROE 7**

8 159. On June 23, 2019, Plaintiff JANE ROE 7 used the ridesharing service offered by  
9 defendant LYFT and DOES 1 through 100. After JANE ROE 7 used the LYFT App to summon a  
10 driver, a LYFT driver named Shahnawaz, last name unknown but to be alleged after discovery in this  
11 litigation, picked up plaintiff JANE ROE 7 and while within New York, New York and in route to  
12 JANE ROE 7's destination, Plaintiff JANE ROE 7 was sexually assaulted by the above-named LYFT  
13 driver who had responded to her request made through the LYFT App.

14 160. JANE ROE 7 was visiting New York City for the weekend. She was intoxicated and  
15 requested a LYFT to take her to her destination for the evening. While in route to her final destination,  
16 LYFT driver, Shahnawaz pressured Plaintiff JANE ROE 7 for sexual activity. He asked JANE ROE 7  
17 to kiss him, and she said no. The LYFT driver then pulled the car over and climbed into the backseat  
18 with JANE ROE 7. The LYFT driver climbed on top of Plaintiff JANE ROE 7 who was yelling "no"  
19 at him. He persisted in his attempt to fondle, grope and rape JANE ROE 7. She succeeded in fighting  
20 him off and ran from the vehicle.

21 161. JANE ROE 7 reported to LYFT in-app via the 'passenger help bot' feature. LYFT  
22 responded with an automated email stating someone will reach out once they "start the review  
23 process." Two days after the assault, and her report to LYFT, LYFT deactivated JANE ROE 7's LYFT  
24 account, rendering her unable to access her account. Afterward, Plaintiff received a voicemail and  
25 email from a LYFT Trust & Safety representative. Plaintiff returned the call, but no one answered.  
26 JANE ROE 7 attempted multiple times to get answers or a response from LYFT, but has not received  
27 any answers. LYFT has not informed JANE ROE 7 whether any action has been taken to remove  
28 Shahnawaz from the LYFT platform. This sexual predator could still be driving for LYFT.

1 162. Plaintiff JANE ROE 7's injuries required medical treatment and will require medical  
2 treatment in the future. Plaintiff JANE ROE 7 does not yet know the reasonable value of the past or  
3 future medical and incidental expenses but will prove the value of such losses at the time of trial.

4 163. LYFT's actions were a substantial factor in the harm that JANE ROE 7 suffered. JANE  
5 ROE 7 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
6 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
7 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
8 JANE ROE 7 has suffered past lost earnings and will suffer future lost earnings and earning  
9 potential. JANE ROE 7 is entitled to damages for such harm.

10 **JANE ROE 8**

11 164. On September 6, 2019, Plaintiff JANE ROE 8 used the ridesharing service offered by  
12 defendant LYFT and DOES 1 through 100. After JANE ROE 8 used the LYFT App to summon a  
13 driver, a LYFT driver named Abdul, last name unknown but to be alleged after discovery in this  
14 litigation, picked up plaintiff JANE ROE 8 and while within Brooklyn and/or New York City, New  
15 York and in route to JANE ROE 8's destination, plaintiff JANE ROE 8 was sexually assaulted by the  
16 above-named LYFT driver who had responded to her request made through the LYFT App.

17 165. JANE ROE 8 had requested a LYFT to take her to a job interview in New York City.  
18 When she entered the LYFT vehicle she was on her cell phone. While on her call, she noticed the  
19 LYFT driver, Abdul, looking at her in the rearview mirror. JANE ROE 8 then noticed that the LYFT  
20 driver began to masturbate. Plaintiff JANE ROE 8 insisted the LYFT driver stop the car and she  
21 immediately exited the vehicle and called the police to be safe.

22 166. Plaintiff JANE ROE 8 also reported the sexual assault to LYFT.

23 167. Plaintiff JANE ROE 8's injuries required medical treatment and will require medical  
24 treatment in the future. Plaintiff JANE ROE 8 does not yet know the reasonable value of the past or  
25 future medical and incidental expenses but will prove the value of such losses at the time of trial.

26 168. LYFT's actions were a substantial factor in the harm that JANE ROE 8 suffered. JANE  
27 ROE 8 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
28 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,

1 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
2 JANE ROE 8 has suffered past lost earnings and will suffer future lost earnings and earning  
3 potential. JANE ROE 8 is entitled to damages for such harm.

4 **JANE ROE 9**

5 169. On November 30, 2018, Plaintiff JANE ROE 9 used the ridesharing service offered by  
6 defendant LYFT and DOES 1 through 100. After JANE ROE 9 used the LYFT App to summon a  
7 driver, a LYFT driver named Kuder, last known currently unknown but to be alleged after discovery in  
8 this litigation, picked up Plaintiff JANE ROE 9 and while within Cleveland, Ohio and in route to JANE  
9 ROE 9's destination, Plaintiff JANE ROE 9 was sexually assaulted by the above-named LYFT driver  
10 who had responded to her request made through the LYFT App.

11 170. JANE ROE 9 called for a LYFT ride home at approximately 11:50pm after arriving back  
12 in Cleveland via Greyhound Bus following a visit to her sister's home in Columbus, Ohio. The LYFT  
13 driver helped JANE ROE 9 put her bags in the trunk, and offered her the front seat. She politely  
14 declined, saying she would sit in the back seat. A few minutes into the ride, the LYFT driver, Kuder,  
15 pulled over on the side of the road where it was very dark. The LYFT driver told JANE ROE 9 that he  
16 wanted to have sex with her. JANE ROE 9 responded that he was being incredibly inappropriate and  
17 asked him to take her to her destination. Instead of taking JANE ROE 9 to her destination, the LYFT  
18 driver exited the front seat and got into the back seat with JANE ROE 9 and sat on top of her,  
19 preventing her from leaving. The LYFT driver began holding and groping JANE ROE 9's breasts and  
20 used his fingers to touch her vagina. The LYFT driver began kissing JANE ROE 9's neck, telling her  
21 sexually inappropriate things. JANE ROE 9 was terrified, thinking that this LYFT driver was going to  
22 kill her. She again, very forcefully told the LYFT driver to take her to her destination. He stopped the  
23 assault, and took JANE ROE 9 to her destination. The driver slapped her bottom hard before leaving.

24 171. JANE ROE 9 reported the assault to LYFT, who acknowledged her report, refunded her  
25 fare, and told her the driver was no longer driving for LYFT. Incredibly, after being told by LYFT that  
26 Kuder would no longer drive for LYFT, JANE ROE 9 spotted the same LYFT driver, Kuder, driving  
27 another passenger with a LYFT sign in his car.

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1 172. Plaintiff JANE ROE 9's injuries required medical treatment and will require medical  
2 treatment in the future. Plaintiff JANE ROE 9 does not yet know the reasonable value of the past or  
3 future medical and incidental expenses but will prove the value of such losses at the time of trial.

4 173. LYFT's actions were a substantial factor in the harm that JANE ROE 9 suffered. JANE  
5 ROE 9 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
6 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
7 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
8 JANE ROE 9 has suffered past lost earnings and will suffer future lost earnings and earning  
9 potential. JANE ROE 9 is entitled to damages for such harm.

10 **JANE ROE 10**

11 174. On October 16, 2019, Plaintiff JANE ROE 10 used the ridesharing service offered by  
12 defendant LYFT and DOES 1 through 100. After JANE ROE 10 used the LYFT App to summon a  
13 driver, a LYFT driver named Favio de los Santos Santo picked up Plaintiff JANE ROE 10 and while  
14 within Brooklyn, New York and in route to JANE ROE 10's destination, Plaintiff JANE ROE 10 was  
15 sexually assaulted by the LYFT driver (Favio) who had responded to her request made through the  
16 LYFT App.

17 175. JANE ROE 10 was picking up some food on October 16, 2019, and requested a LYFT  
18 vehicle through her LYFT app to take her home. While in route to her destination, the LYFT driver,  
19 Favio, pulled his vehicle over and got into the backseat with JANE ROE 10. JANE ROE 10 protested  
20 that her food would get cold. When the LYFT driver, Favio, got into the backseat he requested JANE  
21 ROE 10 perform oral sex on him. She declined, again stating she wanted to go home. The LYFT  
22 driver then asked JANE ROE 10 if he could kiss her. JANE ROE 10 again said no, and that she just  
23 wanted to go home. Instead of taking JANE ROE 10 home the LYFT driver took out his penis and  
24 made JANE ROE 10 look at it. He also took out a picture of another woman and told JANE ROE 10 he  
25 wanted to have a threesome with her and JANE ROE 10. The LYFT driver then started to sexually  
26 assault her by touching and licking JANE ROE 10's breasts. The LYFT driver would not let JANE  
27 ROE 10 go until she called his number.

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1 176. JANE ROE 10 reported the assault to the police, who requested she not report to LYFT  
2 so they could investigate. LYFT Driver Favio de los Santos Santo was charged with forcible touching,  
3 sexual abuse in the 3<sup>rd</sup> degree, and harassment.

4 177. Plaintiff JANE ROE 10's injuries required medical treatment and will require medical  
5 treatment in the future. Plaintiff JANE ROE 10 does not yet know the reasonable value of the past or  
6 future medical and incidental expenses but will prove the value of such losses at the time of trial.

7 178. LYFT's actions were a substantial factor in the harm that JANE ROE 10 suffered. JANE  
8 ROE 10 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
9 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
10 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
11 JANE ROE 10 has suffered past lost earnings and will suffer future lost earnings and earning  
12 potential. JANE ROE 10 is entitled to damages for such harm.

13 **JANE ROE 11**

14 179. On August 25, 2019, Plaintiff JANE ROE 11 used the ridesharing service offered by  
15 defendant LYFT and DOES 1 through 100. A LYFT driver by the name of Rajabboy Juraey picked up  
16 Plaintiff JANE ROE 11 and while within Baltimore, Maryland, and in route to Plaintiff JANE ROE  
17 11's destination, Plaintiff JANE ROE 11 was sexually assaulted by LYFT's driver, Rajabboy Juraey,  
18 who had responded to the request.

19 180. Plaintiff JANE ROE 11 had been out with friends on the evening of August 24, 2019,  
20 and became intoxicated. Just after midnight on August 25, 2019 she decided to request a LYFT to take  
21 her to a friend's house. LYFT's driver, Rajabboy Juraey responded to JANE ROE 11's request through  
22 the LYFT application. ROE 11 was unfamiliar with the area her friend's house was in, but knew it was  
23 not a great part of town. While trying to find the destination, LYFT's driver, Rajabboy Juraey, began  
24 assaulting JANE ROE 11 by grabbing her breasts. She immediately pulled away and began yelling at  
25 him. She was afraid to get out of the car in a neighborhood she was unfamiliar and felt trapped. Shortly  
26 thereafter she was able to get out and run from the vehicle.

27 181. JANE ROE 11 notified LYFT about the assault she experienced once inside. LYFT at  
28 first claimed they were unable to find the ride in question. Lyft later gave her a refund for being

1 sexually assaulted. LYFT did not tell Plaintiff JANE ROE 11 whether they had taken any action to  
2 remove Rajabboy Juraey from their platform. This predator may still be driving for LYFT.

3 182. Had LYFT performed an adequate background check of Rajabboy Juraey before  
4 allowing him to be a LYFT driver, they would have discovered that he had multiple traffic-related  
5 violations including: driving on a suspended license; having no registration; speeding; and a cell phone  
6 violation. As recently as 2017 LYFT's driver, Rajabboy Juraey was driving without a license.

7 183. Plaintiff JANE ROE 11's injuries required medical treatment and will require medical  
8 treatment in the future. Plaintiff JANE ROE 11 does not yet know the reasonable value of the past or  
9 future medical and incidental expenses but will prove the value of such losses at the time of trial.

10 184. LYFT's actions were a substantial factor in the harm that JANE ROE11 suffered. JANE  
11 ROE 11 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
12 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
13 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
14 JANE ROE11 has suffered past lost earnings and will suffer future lost earnings and earning  
15 potential. JANE ROE 11 is entitled to damages for such harm.

16 **JANE ROE 12**

17 185. On December 9, 2018, plaintiff JANE ROE 12 used the ridesharing service offered by  
18 defendant LYFT and DOES 1 through 100. A LYFT driver named John Granillo picked up plaintiff  
19 JANE ROE and while within Glendora, California and in route to Plaintiff JANE ROE 12's destination,  
20 Plaintiff JANE ROE 12 was raped by LYFT's driver (John) who had responded to the request.

21 186. On December 8, 2018 Plaintiff JANE ROE 12 was hanging out with friends at the  
22 University of La Verne. They were hanging out late and drinking, so JANE ROE 12's friends requested  
23 a LYFT to take her back to her home in Glendora, California. LYFT's driver, John Granillo, picked up  
24 Plaintiff JANE ROE after midnight on December 9, 2018.

25 187. During the drive, LYFT's driver, John Granillo, made small talk with Plaintiff JANE  
26 ROE 12, who was intoxicated. When they turned onto JANE ROE 12's street, instead of stopping at  
27 the destination, LYFT's driver, John Granillo, drove to the end of the street. He climbed into the  
28 backseat of the vehicle with JANE ROE 12. JANE ROE 12 was confused and upset that the LYFT

1 driver was in the backseat with her. LYFT's driver, John Granillo, began touching Plaintiff JANE ROE  
2 12's body and groping her and then raped her. JANE ROE 12 told the LYFT driver that she had to  
3 urinate, so she exited the vehicle and ran home.

4 188. JANE ROE 12 arrived to her home in tears, she called some friends to tell them what had  
5 happened. JANE ROE 12 reported the assault to the police and underwent an SART exam. JANE ROE  
6 12 suffered additional emotional distress by the process of having to report to the police, who she did  
7 not feel treated her as a victim of sexual assault.

8 189. Plaintiff JANE ROE 12's injuries required medical treatment and will require medical  
9 treatment in the future. Plaintiff JANE ROE 12 does not yet know the reasonable value of the past or  
10 future medical and incidental expenses but will prove the value of such losses at the time of trial.

11 190. LYFT's actions were a substantial factor in the harm that JANE ROE 12 suffered. JANE  
12 ROE 12 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
13 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
14 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
15 JANE ROE 12 has suffered past lost earnings and will suffer future lost earnings and earning  
16 potential. JANE ROE 12 is entitled to damages for such harm.

17 **JANE ROE 13**

18 191. On July 18, 2018 Plaintiff JANE ROE 13 used the ridesharing service offered by  
19 Defendant LYFT and DOES 1 through 100. After JANE ROE 13's boyfriend used the LYFT app to  
20 summon a driver, a LYFT driver named David Carter picked up plaintiff JANE ROE 14 and while in or  
21 around Greenberg, Maryland, and in route to JANE ROE 13's destination in Stafford, Virginia, JANE  
22 ROE 13 was kidnapped and raped by LYFT's driver, David Carter, who had responded to the request  
23 made through the LYFT App.

24 192. JANE ROE 13's boyfriend requested a LYFT at approximately 2:01 am to take her to  
25 her home in Virginia. Plaintiff JANE ROE 13 was intoxicated, and did not have her phone with her,  
26 leaving her isolated and alone. Instead of taking JANE ROE 13 to her home in Virginia where her  
27 mother was waiting for her, LYFT's driver terminated the ride early. LYFT's driver took JANE ROE

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1 13 to his own home, where he raped her. The next morning, LYFT's Driver, David Carter, dumped  
2 JANE ROE 13 at the home of a relative.

3 193. JANE ROE 13 reported the rape to LYFT. In response to JANE ROE 13's report to  
4 LYFT, David Carter was deactivated as a LYFT driver. At some point after he was deactivated as a  
5 LYFT driver, JANE ROE 13's mother saw David Carter at a Hertz Hub where he was wearing a pink  
6 LYFT shirt identifying him as a full-time employee of LYFT. Incredibly, LYFT's response to JANE  
7 ROE 13's report of kidnapping and rape was to hire her accused rapist and kidnapper, who was also in  
8 the midst of a criminal investigation, as a full-time employee.

9 194. JANE ROE 13 also reported her kidnapping and rape to the police. The police were able  
10 to get a full confession from David Carter. On March 21, 2019 LYFT driver David Carter was charged  
11 with 2<sup>nd</sup> degree rape, 4<sup>th</sup> degree sex offense, 2<sup>nd</sup> degree assault, 3<sup>rd</sup> degree sex offense, and perverted  
12 practice. On April 23, 2019 David Carter pled guilty to 3<sup>rd</sup> degree sex offense and was sentenced to 10  
13 years in jail, of which all but 18 months and 214 days were suspended. Additionally, LYFT driver  
14 David Carter was ordered to provide a DNA sample and register as a lifetime sex offender.

15 195. During the police investigation, LYFT was not cooperative and was not forthcoming  
16 with information regarding their driver. The State was forced to obtain a court order asking LYFT to  
17 produce all investigative records regarding the rape of JANE ROE 13 and LYFT's driver David Carter.

18 196. Plaintiff JANE ROE 13's injuries required medical treatment and will require medical  
19 treatment in the future. Plaintiff JANE ROE 13 does not yet know the reasonable value of the past or  
20 future medical and incidental expenses but will prove the value of such losses at the time of trial.

21 197. LYFT's actions were a substantial factor in the harm that JANE ROE 13 suffered. JANE  
22 ROE 13 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
23 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
24 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
25 JANE ROE 13 has suffered past lost earnings and will suffer future lost earnings and earning  
26 potential. JANE ROE 13 is entitled to damages for such harm.

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1 **BRENDA CHARITY**

2 198. On May 26, 2019, plaintiff BRENDA CHARITY used the ridesharing service offered by  
3 defendant LYFT and DOES 1 through 100. A LYFT driver named Ruben, last name unknown but to be  
4 alleged after discovery in this litigation, picked up plaintiff BRENDA CHARITY after transportation as  
5 arranged through Southeast Transportation. While within Atlanta, Georgia and in route to Plaintiff  
6 BRENDA CHARITY's destination, Plaintiff BRENDA CHARITY was sexually assaulted by LYFT's  
7 driver (Ruben) who had responded to the request.

8 199. Plaintiff BRENDA CHARITY got into a LYFT which had been arranged by her  
9 healthcare, to take her to a medical appointment. During the ride, the LYFT driver, Ruben, kept asking  
10 Plaintiff BRENDA CHARITY "Do you feel good? Do you feel good yet?" She assumed he was  
11 referring to her medical appointments. The LYFT driver said he was getting lost, and pulled into a dark  
12 underground parking garage. Plaintiff BRENDA CHARITY was terrified as they pulled in. Once  
13 parked, Ruben climbed over the median and got in the backseat with BRENDA CHARITY. Once in  
14 the backseat, Ruben completely exposed himself to BRENDA CHARITY, taking out his penis.  
15 Plaintiff BRENDA CHARITY, fearing that she would be raped, or killed, decided to lie to the LYFT  
16 driver, Ruben. She told him she had just been diagnosed with HIV in an attempt to scare him. Her plan  
17 seemed to work. He climbed back into the front seat, and drove BRENDA CHARITY to her  
18 destination. The LYFT driver, Ruben, began masturbating in the front seat while driving BRENDA  
19 CHARITY to her destination.

20 200. BRENDA CHARITY attempted to report the assault twice to Southeast Transportation,  
21 the company that summoned the LYFT for her.

22 201. Plaintiff BRENDA CHARITY's injuries required medical treatment and will require  
23 medical treatment in the future. Plaintiff BRENDA CHARITY does not yet know the reasonable value  
24 of the past or future medical and incidental expenses but will prove the value of such losses at the time  
25 of trial.

26 202. LYFT's actions were a substantial factor in the harm that BRENDA CHARITY suffered.  
27 BRENDA CHARITY suffered general damages of pain-and-suffering, including but not limited to  
28 emotional distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation,

1 embarrassment, shame, mortification, hurt feelings, disappointment, depression and feelings of  
2 powerlessness. Additionally, BRENDA CHARITY has suffered past lost earnings and will suffer  
3 future lost earnings and earning potential. BRENDA CHARITY is entitled to damages for such harm.

4 **CAROLINE MILLER**

5 203. On September 1, 2019, Plaintiff CAROLINE MILLER used the ridesharing service  
6 offered by defendant LYFT and DOES 1 through 100. After CAROLINE MILLER used the LYFT App  
7 to summon a driver, a LYFT driver named Chadwick Demon Foster picked up plaintiff CAROLINE  
8 MILLER and while within Cartersville, Georgia and in route to CAROLINE MILLER's destination in  
9 or around Acworth, Georgia, plaintiff CAROLINE MILLER was raped by LYFT's driver, Chadwick  
10 Demon Foster who had responded to her request made through the LYFT App.

11 204. CAROLINE MILLER requested a LYFT at approximately 2:39 am to take her from a  
12 friend's house to her car, where she had left it earlier in the evening. While in route to her vehicle  
13 which was approximately 35 minutes away, Plaintiff CAROLINE MILLER fell asleep. When she  
14 awoke, the LYFT driver Chadwick Demon Foster was raping and groping her. She immediately pushed  
15 his body away. The LYFT driver stated "I'm taking you to a hotel." Scared for her life, and trying to  
16 buy time, CAROLINE MILLER informed the driver that she had asthma and would need to stop at her  
17 car to get asthma medication. She informed a friend of what was happening, and the friend called the  
18 police. When the LYFT driver took CAROLINE MILLER to her vehicle she pretended to look for her  
19 asthma medication, giving police time to arrive on the scene. When the police arrived at the vehicle,  
20 LYFT driver Chadwick Demon Foster was questioned and arrested.

21 205. CAROLINE MILLER reported the rape to LYFT via a phone call the next day. All  
22 LYFT did was refund her for the ride fare.

23 206. LYFT never informed CAROLINE MILLER whether this driver continues to drive for  
24 LYFT. This sexual predator may still be driving for LYFT.

25 207. Plaintiff CAROLINE MILLER's injuries required medical treatment and will require  
26 medical treatment in the future. Additionally, as a result of her injuries, Plaintiff CAROLINE MILLER  
27 lost her job as a server, she has now had to find alternative employment doing housework. Plaintiff

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1 CAROLINE MILLER does not yet know the reasonable value of the past or future medical and  
2 incidental expenses but will prove the value of such losses at the time of trial.

3 208. LYFT's actions were a substantial factor in the harm that CAROLINE  
4 MILLER suffered. CAROLINE MILLER suffered general damages of pain-and-suffering, including  
5 but not limited to emotional distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock,  
6 humiliation, embarrassment, shame, mortification, hurt feelings, disappointment, depression and  
7 feelings of powerlessness. Additionally, CAROLINE MILLER has suffered past lost earnings and will  
8 suffer future lost earnings and earning potential. CAROLINE MILLER is entitled to damages for such  
9 harm.

10 TYKAJA HALL

11 209. Early on the morning of December 31, 2017, plaintiff TYKAJA HALL used the  
12 ridesharing service offered by defendant LYFT and DOES 1 through 100. After TYKAJA HALL's  
13 friend used the LYFT App to summon a driver for the two women, a LYFT driver named Jose Gerardo  
14 Lopez picked up plaintiff TYKAJA HALL and her friend, and after dropping the friend off, and while  
15 within Fridley, Minnesota and in route to TYKAJA HALL's destination, plaintiff TYKAJA HALL was  
16 raped by LYFT's driver, Jose Gerardo Lopez who had responded to the request made through the  
17 LYFT App.

18 210. TYKAJA HALL was out with her friends celebrating a birthday. When their evening  
19 out was done, TYJAKA HALL's friend requested a LYFT to take the women home as they were  
20 intoxicated and it was after 2:00am. When the LYFT vehicle arrived at TYKAJA HALL's friend's  
21 house, her friend exited the vehicle, and the driver, Jose Gerardo Lopez offered to take Ms. HALL  
22 home for free since it was close to where he lived. Lyft's driver, Jose Gerardo Lopez, turned the LYFT  
23 app off before she got in the vehicle. LYFT's driver, Jose Gerardo Lopez, asked TYKAJA HALL how  
24 her night was, and offered her alcohol. TYKAJA HALL declined, but LYFT's driver continued  
25 pressuring her by talking about the nice, expensive tequila he had, telling TYKAJA HALL that he  
26 wanted her to try it. LYFT's driver continued to pressure TYKAJA HALL. She noticed the LYFT  
27 driver was not driving her in the direction of her home.

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1           211. While LYFT's driver, Jose Gerardo Lopez was driving TYKAJA HALL he reached over  
2 and began touching her breasts. LYFT's driver took TYKAJA HALL's hand and put it on his penis,  
3 trying to get her to masturbate him. TYKAJA HALL was unable to fight Jose Gerardo Lopez off. The  
4 LYFT driver took off TYKAJA HALL's bra, and continued touching and groping her exposed breasts.  
5 He offered to take her to get food, TYKAJA HALL said "no, please take me home." Instead of taking  
6 her home, LYFT's driver pulled over into an empty parking lot, and made TYKAJA HALL get into the  
7 backseat of the LYFT vehicle. Once parked, LYFT's driver got in the backseat with TYKAJA HALL.  
8 Jose Gerardo Lopez then got on top of TYKAJA HALL and raped her. TYKAJA HALL pleaded with  
9 him to take her home. In an effort to end the sexual assault, TYKAJA HALL urinated in the backseat  
10 of the LYFT vehicle. Finally, approximately two to three hours after the LYFT ride began, LYFT's  
11 driver dropped TYKAJA HALL off at her home.

12           212. When TYKAJA HALL arrived home she crawled into a window in the back of her home  
13 so that the LYFT driver would not see which house she entered. TYKAJA HALL was crying and  
14 inconsolable in a bathtub when her sister found her. TYKAJA HALL managed to articulate that she  
15 had been raped by the LYFT driver, so her sister and mother called the police, who came and began an  
16 investigation. TYKAJA was confident that she was also drugged by the Lyft driver.

17           213. On January 8, 2018, police obtained a search warrant to search the LYFT vehicle of Jose  
18 Gerardo Lopez, which the police executed on January 9, 2018. The search warrant revealed the type of  
19 habitual perpetrators that drive LYFT vehicles. During the search of the vehicle, police found at least  
20 three bottles of fruity flavored alcohol, including a bottle of tequila, small paper cups, and numerous  
21 condoms. Police stated that it looked that this type of incident had been done many times prior.

22           214. On February 4, 2019, LYFT's driver, Jose Gerardo Lopez was found guilty of criminal  
23 sexual assault in the fourth degree.

24           215. Plaintiff TYKAJA HALL's injuries required medical treatment and will require medical  
25 treatment in the future. Plaintiff TYKAJA HALL does not yet know the reasonable value of the past or  
26 future medical and incidental expenses but will prove the value of such losses at the time of trial.

27           216. LYFT's actions were a substantial factor in the harm that TYKAJA HALL suffered.  
28 TYKAJA HALL suffered general damages of pain-and-suffering, including but not limited to emotional



1 distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment,  
2 shame, mortification, hurt feelings, disappointment, depression and feelings of  
3 powerlessness. Additionally, TYKAJA HALL has suffered past lost earnings and will suffer future lost  
4 earnings and earning potential. TYKAJA HALL is entitled to damages for such harm.

5 **INGRID FERREIRA**

6 217. On September 25, 2019, Plaintiff INGRID FERREIRA used the ridesharing service  
7 offered by defendant LYFT and DOES 1 through 100. After INGRID FERREIRA used the LYFT App  
8 to summon a driver, a LYFT driver named David, last name unknown but to be alleged after discovery  
9 in this litigation, picked up plaintiff INGRID FERREIRA and while within Newark, New Jersey and in  
10 route to INGRID FERREIRA's destination, plaintiff INGRID FERREIRA was sexually assaulted by  
11 1LYFT's driver (David) who had responded to her request made through the LYFT App.

12 218. Plaintiff INGRID FERREIRA had just finished her shift at her job as a waitress, and she  
13 and a co-worker split a LYFT to take them both home at approximately 10:40pm. The co-worker's stop  
14 was first, and after she got out, INGRID FERREIRA, knowing she still had approximately 20 minutes  
15 before she reached her home, put in earbuds with loud music. At different points in the ride, the LYFT  
16 driver (David) tapped INGRID FERREIRA on the leg, first to offer her water, which she accepted, and  
17 next to offer her pizza, which she declined. She resumed listening to music and looking at her phone.  
18 While looking at her phone, INGRID FERREIRA noticed the car had not been moving for a few  
19 minutes. LYFT's driver had stopped in the right lane of traffic at a cross street, but there was no stop  
20 light or stop sign there. INGRID FERREIRA realized it was now past the time that she should have  
21 reached her destination, and she asked LYFT's driver if everything was okay, he responded that the  
22 GPS had stopped working but that he was retrying his app. The car remained still for a few more  
23 minutes and INGRID FERREIRA noticed LYFT's driver scrolling through his phone, and saw his  
24 shoulder moving up and down. A few minutes later LYFT's driver began driving again and they  
25 reached INGRID FERREIRA's destination. When the LYFT vehicle stopped, INGRID FERREIRA  
26 began gathering her belongings, and tried to open the door, but it was locked and she did not see a  
27 mechanism to unlock the door from the backseat. LYFT's driver (David) then turned his whole body  
28 toward INGRID FERREIRA, his penis was out and exposed to her and he was driving. LYFT's driver

1 told INGRID FERREIRA that he wanted to take her out. INGRID FERREIRA grabbed her cell phone  
2 and called her husband, who was inside the house. This caused the LYFT driver to put his penis back in  
3 his pants and unlock the door. INGRID FERREIRA grabbed her belonging and got out of the vehicle,  
4 but LYFT's driver (David) got out, began to approach her and tried to put his hands on her. INGRID  
5 FERREIRA's husband was now walking towards the vehicle and LYFT's driver (David) jumped in the  
6 car and sped away quickly, with the backdoor still open.

7 219. INGRID FERREIRA and her husband reported the incident to the Newark Police  
8 Department.

9 220. Plaintiff INGRID FERREIRA's injuries required medical treatment and will require  
10 medical treatment in the future. Plaintiff INGRID FERREIRA does not yet know the reasonable value  
11 of the past or future medical and incidental expenses but will prove the value of such losses at the time  
12 of trial.

13 221. LYFT's actions were a substantial factor in the harm that INGRID FERREIRA suffered.  
14 INGRID FERREIRA suffered general damages of pain-and-suffering, including but not limited to  
15 emotional distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation,  
16 embarrassment, shame, mortification, hurt feelings, disappointment, depression and feelings of  
17 powerlessness. Additionally, INGRID FERREIRA has suffered past lost earnings and will suffer future  
18 lost earnings and earning potential. INGRID FERREIRA is entitled to damages for such harm.

19 **ERIN MARSHALL**

20 222. On March 16, 2018 Plaintiff ERIN MARSHALL used the ridesharing service offered by  
21 defendant LYFT and DOES 1 through 100. After ERIN MARSHALL used the LYFT App to summon a  
22 driver, a LYFT driver named Joshua Kyam Quaid picked up plaintiff ERIN MARSHALL and while  
23 within Tucson, Arizona and in route to ERIN MARSHALL's destination, plaintiff ERIN MARSHALL  
24 was raped by LYFT's driver (Joshua) who had responded to her request made through the LYFT App.

25 223. Plaintiff ERIN MARSHALL had been out at a bar and because she was intoxicated,  
26 decided to take a LYFT home. LYFT's driver, Joshua Kyam Quaid, responded to the request made via  
27 the LYFT application, and picked ERIN MARSHALL up. ERIN MARSHALL and the LYFT driver  
28 engaged in some small talk, and ERIN MARSHALL was distracted and did not notice that they were

1 not driving towards her destination. LYFT's driver pulled the LYFT vehicle over in a dark area, and  
2 climbed into the backseat with ERIN MARSHALL, who was confused and disoriented. LYFT's driver,  
3 Joshua, took advantage of plaintiff ERIN MARSHALL's state, he groped and then raped her. ERIN  
4 MARSHALL told LYFT's driver "I don't want to do this; I want to go home." LYFT's driver (Joshua)  
5 got back in the front seat, and ERIN MARSHALL thought he was taking her home, however they were  
6 still going in the wrong direction. ERIN MARSHALL threatened to throw herself out of the vehicle in  
7 order to get LYFT's driver (Joshua) to take her home.

8 224. Immediately upon arriving home, ERIN MARSHALL explained what happened to her  
9 then husband, who took her to the hospital to have a SART and called LYFT to report the driver.

10 225. LYFT's driver Joshua was arrested and charged with kidnapping and sexual assault. On  
11 September 20, 2019 LYFT's driver Joshua pled guilty.

12 226. Plaintiff ERIN MARSHALL's injuries required medical treatment and will require  
13 medical treatment in the future. Plaintiff ERIN MARSHALL does not yet know the reasonable value of  
14 the past or future medical and incidental expenses but will prove the value of such losses at the time of  
15 trial.

16 227. LYFT's actions were a substantial factor in the harm that ERIN MARSHALL suffered.  
17 ERIN MARSHALL suffered general damages of pain-and-suffering, including but not limited to  
18 emotional distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation,  
19 embarrassment, shame, mortification, hurt feelings, disappointment, depression and feelings of  
20 powerlessness. Additionally, ERIN MARSHALL has suffered past lost earnings and will suffer future  
21 lost earnings and earning potential. ERIN MARSHALL is entitled to damages for such harm.

22 **HANNAH WELLS**

23 228. On September 7, 2019, Plaintiff HANNAH WELLS used the ridesharing service offered  
24 by defendant LYFT and DOES 1 through 100. After HANNAH WELLS used the LYFT App to  
25 summon a driver, a LYFT driver named Nabaz, last name unknown but to be alleged after discovery in  
26 this litigation, picked up plaintiff HANNAH WELLS and while within Atlanta, Georgia and in route to  
27 HANNAH WELLS' destination, plaintiff HANNAH WELLS was sexually assaulted by LYFT's driver  
28 (Nabaz) who had responded to her request made through the LYFT App.







1 257. Defendant LYFT failed to adequately warn of the danger.

2 258. A reasonable manufacturer and reasonable distributor under the same or similar  
3 circumstances would have warned of the danger.

4 259. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

5 260. Defendant LYFT's failure to warn was a substantial factor in causing the harm suffered  
6 by each Plaintiff.

7 **FIFTH CAUSE OF ACTION**

8 **NEGLIGENCE BASED ON FAILURE TO RECALL OR RETROFIT THE LYFT**  
9 **RIDESHARING APP**

10 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

11 261. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 260 as  
12 though fully stated in this cause of action.

13 262. Defendant LYFT designed the LYFT App.

14 263. Defendant LYFT knew or reasonably should have known that the LYFT App was  
15 dangerous or was likely to be dangerous when used in a reasonably foreseeable manner.

16 264. Defendant LYFT became aware of this defect after the LYFT App was designed,  
17 manufactured, and distributed.

18 265. Defendant LYFT failed to recall or retrofit or warn of the danger of the LYFT App.

19 266. A reasonable manufacturer and distributor under the same or similar circumstances  
20 would have recalled or retrofitted or both recalled and retrofitted the LYFT App.

21 267. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

22 268. Defendant LYFT's failure to recall or retrofit the LYFT App was a substantial factor in  
23 causing the harm suffered by each Plaintiff.

24 **SIXTH CAUSE OF ACTION**

25 **INTENTIONAL MISREPRESENTATIONS ABOUT THE LYFT RIDESHARING APP**

26 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

27 269. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 268 as  
28 though fully stated in this cause of action.

1 270. Defendant LYFT represented to each Plaintiff that it was true that the LYFT App was  
2 safe to use and would provide a safe experience.

3 271. Defendant LYFT's representation was false.

4 272. Defendant LYFT knew that the representation was false when it made it or at a minimum  
5 knew that it made the representation recklessly and without regard for its truth.

6 273. Defendant LYFT intended that each Plaintiff rely on the representation.

7 274. Each Plaintiff reasonably relied on defendant LYFT's representation.

8 275. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

9 276. In each case where a Plaintiff was sexually assaulted, the Plaintiff's reliance on  
10 defendant LYFT's representation was a substantial factor in causing the harm suffered by each Plaintiff.

11 **SEVENTH CAUSE OF ACTION**

12 **CONCEALMENT OF THE RISKS INHERENT IN USE OF THE LYFT RIDESHARING APP**

13 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

14 277. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 276 as  
15 though fully stated in this cause of action.

16 278. Defendant LYFT intentionally failed to disclose to each Plaintiff the fact that the LYFT  
17 App was defective in its design and manufacture, was not safe to use as defendant LYFT otherwise  
18 represented, and posed risks and dangers of which defendant LYFT was aware at the time it designed,  
19 manufactured, and distributed the LYFT App.

20 279. Defendant LYFT disclosed some facts to each Plaintiff, asserting that there supposedly  
21 were safeguards in place, but intentionally failed to disclose other facts about the risks and potential  
22 dangers, making the disclosures that defendant LYFT did make incomplete and deceptive.

23 280. Defendant LYFT intentionally failed to disclose certain facts about the risks and  
24 potential dangers that were known only to it and that each Plaintiff could not have discovered in the  
25 ordinary course of downloading and using the LYFT App.

26 281. Each Plaintiff did not know of the concealed facts.

27 282. Defendant LYFT intended to deceive each Plaintiff by concealing the facts.

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1 283. Had the omitted information been disclosed, each Plaintiff reasonably would have  
2 behaved differently.

3 284. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

4 285. Defendant LYFT's concealment was a substantial factor in causing the harm suffered by  
5 each Plaintiff.

6 **EIGHTH CAUSE OF ACTION**

7 **NEGLIGENT MISREPRESENTATION ABOUT THE LYFT RIDESHARING APP**

8 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

9 286. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 285 as  
10 though fully stated in this cause of action.

11 287. Defendant LYFT represented to each Plaintiff that it was true that the LYFT App would  
12 provide for a safe ridesharing experience.

13 288. Defendant LYFT's representation was not true.

14 289. Although defendant LYFT may have honestly believed that the representation was true,  
15 defendant LYFT had no reasonable grounds for believing the representation was true when it made it.

16 290. Defendant LYFT intended that each Plaintiff rely on this representation.

17 291. Each Plaintiff reasonably relied on defendant LYFT's representation.

18 292. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

19 293. Each Plaintiff's reliance on defendant LYFT's representation was a substantial factor in  
20 causing the harm suffered by each Plaintiff.

21 **NINTH CAUSE OF ACTION**

22 **NEGLIGENT HIRING, SUPERVISION, AND RETENTION**

23 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

24 294. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 293 as  
25 though fully stated in this cause of action.

26 295. Defendant LYFT and DOES 1 through 100, inclusive hired each LYFT DRIVER.

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1 296. LYFT's hiring of the LYFT DRIVERS was mostly automated, after each LYFT  
2 DRIVER merely filled out some short forms online, uploaded photos of a driver license, vehicle  
3 registration and proof of vehicle insurance.

4 297. At the time each LYFT DRIVER applied to drive for LYFT, LYFT was not performing  
5 adequate background checks for its drivers. After minimal information was provided to LYFT, each  
6 LYFT DRIVER was hired and engaged as a LYFT driver.

7 298. LYFT did not interview, check the references of, provide training to, or advise any  
8 LYFT DRIVER of any anti-sexual assault policies when hiring him. LYFT had no reasonable basis for  
9 believing that any LYFT DRIVER was fit to drive or interact with passengers, and LYFT failed to use  
10 reasonable care in determining whether a LYFT DRIVER was fit for those tasks. LYFT should have  
11 known of each LYFT DRIVER's unfitness but failed to use reasonable care to discover the DRIVER's  
12 unfitness and incompetence.

13 299. Despite failing to reasonably endeavor to investigate each LYFT DRIVER's competence  
14 to transport and interact with passengers in a moving vehicle, LYFT employed each LYFT DRIVER.

15 300. LYFT knew or should have known that assigning to an inadequately screened driver the  
16 task of transporting vulnerable customers late at night created an unreasonable risk of harm to LYFT's  
17 passengers, including each plaintiff herein, particularly when LYFT had been on notice of the string of  
18 sexual assaults committed by LYFT's drivers.

19 301. Each LYFT DRIVER was and/or became unfit to perform the work for which he was  
20 HIRED as he improperly and illegally took advantage of LYFT's passengers, including each plaintiff  
21 JANE ROE herein, when each attempted to use the service for a safe ride, sometimes after drinking,  
22 thereby causing each Plaintiff psychological and physical harm.

23 302. Because of each LYFT DRIVER's unfitness to perform the task of transporting each  
24 Plaintiff, each Plaintiff was sexually harassed, assaulted and/or stalked, causing her to fear for her  
25 personal safety.

26 303. LYFT and inclusively DOES 1 through 100's negligence in hiring, retaining, and or  
27 supervising each LYFT DRIVER caused each plaintiff to be sexually harassed, assaulted and/or stalked.

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1 313. LYFT does not warn passengers, including Plaintiffs, of the dangers of riding with  
2 LYFT and fails to warn passengers, including Plaintiffs, of past complaints regarding LYFT drivers.

3 314. LYFT does not have an effective program in place to deal with the sexual predator crisis  
4 posed by some of its drivers.

5 315. LYFT knows that its female passengers are in a uniquely vulnerable situation enclosed in  
6 a moving vehicle and that a subset of its drivers are sexual predators.

7 316. LYFT, at the direction of its managing agents, executives and officers, has not exercised  
8 reasonable care to protect its passengers, including Plaintiffs, from harassment, assault, and rape by  
9 LYFT's drivers.

10 317. LYFT, at the direction of its managing agents, executives and officers, has not exercised  
11 the utmost degree of care in order to protect its passengers, including Plaintiffs, from the danger posed  
12 by sexual predators who drive for LYFT. If LYFT had used the highest degree of care, LYFT could  
13 have prevented or dramatically reduced the likelihood of the sexual assaults of its passengers, including  
14 plaintiffs.

15 318. LYFT failed to safely transport Plaintiffs.

16 319. LYFT failed to use the utmost care and vigilance to protect all such Plaintiffs from its  
17 own LYFT DRIVERS who sexually harassed and assaulted in the course of transporting them to their  
18 destinations.

19 320. LYFT, at the direction of its managing agents, executives and officers, failed to take  
20 reasonable precautions to protect its vulnerable female passengers, including each Plaintiff, from the  
21 foreseeable and known risk of sexual harassment and sexual assault by its LYFT DRIVERS. If LYFT  
22 had used the highest degree of care, LYFT could have prevented or reduced the likelihood of the sexual  
23 assaults of its passengers, including of the Plaintiffs.

24 321. As a legal and direct result of the aforementioned conduct and omissions of Defendants  
25 LYFT and DOES 1 through 100, inclusive, Plaintiffs were sexually harassed, assaulted and/or stalked,  
26 causing each of them to fear for her personal safety.

27 322. As a direct and legal result of LYFT's negligence, each plaintiff has suffered damages,  
28 both economic and general, non-economic damages according to proof.

1 ELEVENTH CAUSE OF ACTION

2 VICARIOUS LIABILITY FOR THE TORTS OF LYFT'S DRIVERS

3 (Alleged Against Defendant LYFT and DOES 1 through 100)

4 323. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 322 as  
5 though fully stated in this cause of action.

6 324. LYFT is vicariously liable for the torts of its drivers through the theories of *respondeat*  
7 *superior*, nondelegable duties, agency, and ostensible agency. LYFT's liability for the acts of its drivers  
8 is not contingent upon the classification of its drivers as employees.

9 325. Under the doctrine of *respondeat superior*, LYFT is responsible for the torts of its  
10 employees committed within the scope of employment. The modern rationale for the theory is that an  
11 employer who profits from an enterprise which, through the torts of its employees, causes harm to  
12 others should bear the costs of the injury instead of the innocent injured plaintiff.

13 326. LYFT profits from transporting vulnerable passengers late at night. LYFT encourages  
14 both sober and intoxicated passengers to use its services. At the same time, LYFT, at the direction of its  
15 managing agents, executives and officers, does not take reasonable steps to protect its passengers or  
16 warn them of the dangers of riding with LYFT. LYFT,  
17 and not the victims of LYFT's negligence, should bear the costs of injuries that result from torts such as  
18 sexual assault, kidnapping and rape.

19 327. LYFT drivers are employees. LYFT reserves the right to control the activities of LYFT  
20 DRIVERS. LYFT controls the prices charged to customers, controls contact with the customer base,  
21 controls the ability of a driver to see where he will be driving before he accepts a ride, and reserves the  
22 right to terminate drivers with or without cause.

23 328. LYFT drivers' acts of sexual harassment and sexual assault of each of the plaintiff  
24 JANE ROEs occurred within the scope of employment and/or authority of each of the LYFT drivers.  
25 The kidnapping, assault, rape and other forms of sexual conduct committed against each Plaintiff,  
26 whether sober or intoxicated, whether accompanied or unaccompanied, was committed against a  
27 woman who had been placed in an improperly screened LYFT driver's car with little to no supervision.  
28 Each such incident was incidental to and a foreseeable result of the act of transporting customers.

1           329. LYFT may maintain that its drivers are contractors and not employees. Nevertheless,  
2 whether the LYFT drivers are characterized as contractors, employees or agents, LYFT has a non-  
3 delegable duty to connect customers with safe transportation.

4           330. The doctrine of nondelegable duty recognizes when one party owes a duty to another  
5 which, for public policy reasons, cannot be delegated. It operates to ensure that when a harm occurs, the  
6 injured party will be compensated by the party whose activity caused the harm and who may therefore  
7 properly be held liable for the acts of his agent, whether the agent was an employee or an independent  
8 contractor. The doctrine recognizes that an entity may not delegate its duties to a contractor in order to  
9 evade its own responsibilities. This is especially so when allowing delegation would incentivize the  
10 employers to hire incompetent contractors in order to further the employer's pecuniary interests.

11           331. In advertising to customers, including Plaintiffs, that LYFT provides them a safe ride to  
12 their destinations and by profiting off of women who use LYFT for that very purpose and are attacked,  
13 LYFT has a duty to its customers that cannot be delegated. To allow LYFT to delegate the liability for  
14 the assaults by its drivers to anyone else would encourage LYFT to continue to utilize the cheapest,  
15 fastest, and most haphazard safety procedures. LYFT would be disincentivized from hiring only  
16 competent drivers, since the more drivers LYFT has, the more money LYFT makes.

17           332. Further, LYFT drivers act as agents of and operate as extensions of LYFT. LYFT  
18 drivers represent LYFT's business and further LYFT's pecuniary interests.

19           333. LYFT drivers display the LYFT logo when interacting with customers, and in many  
20 cases LYFT drivers are the only people with whom LYFT's customers have direct contact. LYFT  
21 drivers provide the service that LYFT claims to provide, namely, transportation.

22           334. By allowing LYFT drivers to represent LYFT's business, LYFT creates the impression  
23 that its drivers, including the LYFT drivers involved as tortfeasors herein, were LYFT's employees  
24 and/or agents.

25           335. Each JANE ROE plaintiff herein reasonably believed that her LYFT driver was an  
26 employee or agent of LYFT, and, relying on this belief, each JANE ROE plaintiff hired each respective  
27 LYFT driver and suffered harm as a result of her contact with each respective LYFT DRIVER.

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1 336. For these reasons and others, LYFT is vicariously liable for the tortious acts of its  
2 drivers, regardless of whether LYFT's drivers are employees, agents, apparent agents, or contractors of  
3 LYFT.

4 TWELFTH CAUSE OF ACTION

5 VICARIOUS LIABILITY FOR SEXUAL ASSAULT

6 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

7 337. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 336 as  
8 though fully stated in this cause of action.

9 338. At the time of each assault alleged herein, each LYFT driver intended to cause harmful  
10 and offensive contact with each respective Plaintiff herein, and placed each respective Plaintiff in  
11 reasonable apprehension of imminent harmful and offensive contact.

12 339. Each respective LYFT driver committed these tortious and wrongful acts while acting in  
13 the course and scope of his employment with LYFT as an employee/agent of LYFT. Therefore, LYFT  
14 is liable for each LYFT driver's assault of each respective Plaintiff and is responsible for damages  
15 caused by said conduct under the principles of vicarious liability, including the doctrine of *respondeat*  
16 *superior*. Even if any LYFT driver had not been an employee, LYFT's duty to provide transportation  
17 free of assault is nondelegable and LYFT is liable for each LYFT driver's actions, because to allow  
18 LYFT to delegate its duty of providing the safe transportation it promises would incentivize LYFT to  
19 create a greater risk of harm to the public.

20 340. Under the theories of *respondeat superior*, nondelegable duty, agency, and ostensible  
21 agency, LYFT is liable for the tortious acts of each LYFT driver.

22 341. As a direct and legal result of each LYFT driver's sexual assault upon each respective  
23 Plaintiff, each respective Plaintiff has suffered economic and general, non-economic damages according  
24 to proof.

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1 **THIRTEENTH CAUSE OF ACTION**

2 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

3 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

4 342. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 341 as  
5 though fully stated in this cause of action.

6 343. Defendant LYFT's conduct was outrageous.

7 344. Defendant LYFT intended to cause emotional distress to each Plaintiff or at a minimum  
8 defendant LYFT acted with reckless disregard of the probability that each Plaintiff would suffer  
9 emotional distress, knowing that each Plaintiff was or would be present when the conduct precipitated  
10 by use of the LYFT App occurred.

11 345. Each Plaintiff suffered severe emotional distress including but not limited to emotional  
12 distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment,  
13 shame, mortification, hurt feelings, disappointment, depression and feelings of powerlessness.

14 346. The emotional distress suffered by Plaintiffs is such that an ordinary, reasonable person  
15 would be unable to cope with it

16 347. Defendant LYFT's conduct was a substantial factor in causing the severe emotional  
17 distress suffered by each Plaintiff.

18 **FOURTEENTH CAUSE OF ACTION**

19 **GENERAL NEGLIGENCE**

20 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

21 348. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 347 as  
22 though fully stated in this cause of action.

23 349. Defendant LYFT owed to each Plaintiff a duty to use ordinary care to prevent injury to  
24 plaintiff as a result of the conduct and inaction of LYFT and the conduct and inaction of each LYFT  
25 DRIVER.

26 350. In doing those things alleged herein above, defendant LYFT acted negligently,  
27 carelessly and recklessly, resulting in serious injury to each individual Plaintiff.

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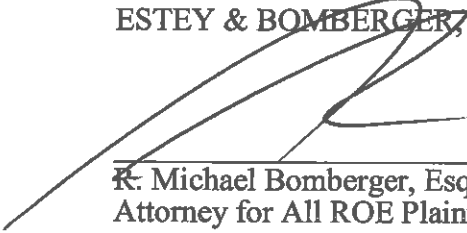


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- 7. For punitive damages with respect to each cause of action; and
- 8. For all other relief that the court deems just and proper.

Dated: December 4, 2019

ESTEY & BOMBERGER, LLP



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Michael Bomberger, Esq.  
Attorney for All ROE Plaintiffs