

SARVENAZ "NAZY" J. FAHIMI (SBN 226148)  
[sfahimi@cpmlegal.com](mailto:sfahimi@cpmlegal.com)  
REGINA WANG (SBN 326262)  
[rwang@cpmlegal.com](mailto:rwang@cpmlegal.com)  
**COTCHETT, PITRE & McCARTHY, LLP**  
San Francisco Airport Office Center  
840 Malcolm Road  
Burlingame, CA 94010  
Telephone: (650) 697-6000  
Facsimile: (650) 697-0577

*Attorneys for Plaintiff*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**IN AND FOR THE COUNTY OF SAN FRANCISCO**

**JANE DOE**, an individual,

Plaintiff,

v.

**UBER TECHNOLOGIES, INC.**, a Delaware  
corporation; and DOES 1 through 10, inclusive,

Defendant.

CASE NO.

**CGC-25-628885**

**COMPLAINT FOR:**

- 1. NEGLIGENCE**  
**Common Carrier Negligence;**  
**Negligent Undertaking;**  
**Negligence**
- 2. NEGLIGENT TRAINING AND**  
**SUPERVISION**

**DEMAND FOR JURY TRIAL**

ELECTRONICALLY  
**FILED**  
Superior Court of California,  
County of San Francisco

**09/08/2025**  
**Clerk of the Court**  
BY: JAMES XIONG  
Deputy Clerk

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**TABLE OF CONTENTS**

**PAGE NO.**

**I. INTRODUCTION.....1**

**II. JURISDICTION AND VENUE.....5**

**III. THE PARTIES.....5**

**IV. FACTUAL BACKGROUND.....6**

    A. JANE DOE’s UBER driver abandoned her in a dangerous area, at night, in a  
        vulnerable state, and without a phone .....6

    B. JANE DOE was subsequently sexually assaulted .....9

    C. UBER specifically advertises its services to passengers  
        who have been drinking.....9

    D. UBER advertises that it offers a safe transportation service  
        but fails to train drivers about passenger safety or provide adequate passenger  
        safety measures.....11

    E. UBER exercises control over its drivers .....14

    F. After the incident, UBER failed to provide assistance to JANE DOE,  
        escalate the incident, and/or conduct even minimal  
        investigation of the incident .....15

**V. CAUSES OF ACTION .....17**

    FIRST CAUSE OF ACTION  
    NEGLIGENCE.....17

    SECOND CAUSE OF ACTION  
    NEGLIGENT TRAINING AND SUPERVISION .....25

**VI. PRAYER FOR RELIEF.....28**

**VII. DEMAND FOR JURY TRIAL.....28**

1     **I.     INTRODUCTION**

2             1.       This case centers around Plaintiff JANE DOE, a 23-year-old woman who entrusted  
3 Defendant rideshare company UBER TECHNOLOGIES, INC. (“UBER”) to provide her a ride  
4 home on the evening of May 28, 2025.<sup>1</sup> However, UBER failed to take JANE DOE home that night,  
5 and the ride tragically changed JANE DOE’s life forever.

6             2.       On the night of May 28, 2025, JANE DOE attended a concert in Sacramento with her  
7 friend and brother. After an eventful night of music and drinking, she decided that it was time to go  
8 home. Using the UBER application (“app”), she entered as her drop-off destination her home  
9 address, where she resided with her parents, in the town of Rosemont.

10            3.       Because JANE DOE had drank too much, she vomited in the vehicle during the ride.  
11 After she vomited, JANE DOE’s UBER driver made the choice to abandon her at a random and  
12 unsafe location. JANE DOE was kicked out of the vehicle alone, at night, near the parking lot of a  
13 gas station, in a visibly unsafe area, which has a D+ score in local crime grades.

14            4.       Instead of taking her to her scheduled destination, JANE DOE’s UBER driver  
15 dropped her off at 10:02 p.m. over eight miles from her planned drop-off location at her home. The  
16 driver left her alone, in an obviously intoxicated state. Worse, the UBER driver left her in such a  
17 state and location without her phone and keys, which were in the back seat of the vehicle.

18            5.       The driver’s decision to abandon JANE DOE in a dangerous area near a random gas  
19 station parking lot, intoxicated, and without a phone, led to the worst night of JANE DOE’s young  
20 life.

21            6.       While JANE DOE stood alone and disoriented, she was approached in the parking  
22 lot of the gas station by a man and woman who claimed they would help her get home. With no  
23 phone, and little idea where she was, JANE DOE was left little choice and accepted their offer to  
24

---

25     <sup>1</sup> JANE DOE files this action under a pseudonym because she is a sexual-assault victim and needs  
26 anonymity to protect her legitimate privacy rights in this sensitive and highly personal matter.  
27 Disclosure of JANE DOE’s full name would expose her to stigmatization, would invade her privacy,  
28 and could compromise an ongoing criminal investigation. JANE DOE further anticipates seeking  
concurrency from Defendant for entry into a protective order to prevent unnecessary disclosure of  
JANE DOE’s real name in the public record.

1 help, telling them she would pay them for a ride. Tragically, they did not give her a ride home and  
2 instead took her to an apartment where she was held captive and sexually assaulted at knife point.  
3 After finding the opportunity to escape, JANE DOE immediately sought help at a local school, and  
4 she was subsequently taken to a hospital and interviewed by local authorities.

5 7. JANE DOE's UBER driver subsequently admitted that he evicted her at a random  
6 location, not bothering to confirm if it was safe, because she had vomited in the vehicle. He indicated  
7 that he was frustrated because the same thing had happened with another passenger the week prior.

8 8. UBER routinely transports, and thus profits from, passengers who have been  
9 drinking. Indeed, UBER advertises to individuals who have been drinking as an alternative to  
10 drinking and driving. UBER has entered into a partnership with Mothers Against Drunk Driving  
11 ("MADD") and Anheuser-Busch to encourage people who have been drinking not to drive, and thus  
12 to take rides with UBER after they have been drinking. The partnership began in 2021 with its  
13 inaugural campaign, "Decide to Ride," an initiative focused on changing consumer behavior to  
14 prevent drunk driving.

15 9. Similarly, in 2018, UBER began partnering with the Governors Highway Safety  
16 Association ("GHSA") to encourage people who drink alcohol to use ride-hailing instead of putting  
17 themselves and others on the road at risk by getting behind the wheel. In 2024, UBER continued this  
18 partnership with GHSA to make \$500,000 in UBER ride credits available to encourage people in  
19 certain states to plan ahead to take an UBER ride if they have been drinking.

20 10. As recently as in the month prior to JANE DOE's tragic experience, MADD and  
21 UBER teamed up for Alcohol Awareness Month to deliver the message "Don't drive impaired—  
22 plan a ride home in advance." The campaign launched on April 1, 2025 and included an  
23 advertisement with a young woman who texted her father to say she had a few drinks, and showed  
24 the father's relief when she shared her UBER location.

25 11. Passengers who drink thus routinely use UBER to avoid driving under the influence.  
26 While it can be inconvenient for the driver, it is not out of the ordinary for UBER to have an  
27 intoxicated passenger get ill during the ride. Indeed, UBER has a specific process for drivers to  
28 handle the inconvenience and cost of such cleanup—passengers are charged through the app

1 according to the extent of damage. Nowhere on the app or website are passengers told that in addition  
2 to paying the cleanup fee, they will also have their safety compromised at the will of the driver in  
3 such a situation.

4 12. UBER advertises to the general public a transportation service that riders can rely on  
5 to get to their destinations safely, and it specifically highlights its commitment to women's safety.  
6 When UBER CEO Dara Khosrowshahi was appointed in 2017, he promised a new era of  
7 transparency, integrity, and accountability: "We do the right thing. Period."<sup>2</sup> Recently, UBER's  
8 Head of Safety in the Americas told reporters that UBER has begun to require sexual assault and  
9 misconduct training. UBER has also experimented with assigning female drivers to female  
10 passengers, which it has found makes rides much safer for both.<sup>3</sup>

11 13. Notwithstanding these representations to the public, UBER allows its drivers to drop  
12 riders off at any location without regard to the location's safety or distance from the passenger's  
13 chosen destination. As one purported newer safety feature, UBER boasts that automatic messages  
14 are sent to passengers if the app sees an abnormal deviation in the route or drop-off location, to see  
15 if they need help. Yet such measures, even if they had been in place, certainly would have failed in  
16 the case of JANE DOE—and could never have succeeded—given that her driver abandoned her  
17 without a thought for her phone left in the vehicle.

18 14. Even though UBER advertises to the general public that it offers a transportation  
19 service that brings passengers from point A to point B, it does not in fact properly train or require its  
20 drivers to deliver passengers to their chosen destinations. UBER further fails to train drivers,  
21 including JANE DOE's driver, about when—if ever—a unilateral change in drop-off location is  
22 permissible, and/or to ensure that the location and circumstances of the drop-off are safe, regardless  
23 of any change.

24 15. A recent New York Times article highlights that sexual assaults associated with  
25 UBER follow "distinct patterns" including traits that make certain passengers particularly  
26

27 <sup>2</sup> Mike Isaac, Uber's New Mantra: 'We Do the Right Thing. Period.', N.Y. Times (Nov. 7, 2017),  
<https://www.nytimes.com/2017/11/07/technology/uber-dara-khosrowshahi.html>.

28 <sup>3</sup> Emily Steel, Uber's Festering Sexual Assault Problem, N.Y. Times (Aug. 6, 2025),  
<https://www.nytimes.com/2025/08/06/business/uber-sexual-assault.html> (updated Aug. 7, 2025).

1 vulnerable. “Women most often are the victims, whether they are passengers or drivers. The attacks  
2 typically occur late at night and on the weekend, with pickups originating near a bar. In the vast  
3 majority of cases, the offenders are men — drivers or passengers — with records of sexual  
4 misconduct complaints and low ratings, the internal documents show. *Intoxicated passengers are*  
5 *especially vulnerable.*”<sup>4</sup>

6 16. As JANE DOE learned, contrary to Mr. Khosrowshahi’s assertions, UBER clearly  
7 does not “do the right thing, period.” UBER breached its duties to passenger JANE DOE through its  
8 policies leading up to the ride and its actions during the ride. It further utterly failed to take seriously,  
9 investigate and/or escalate the incident once it was reported to UBER. When JANE DOE’s mother  
10 contacted UBER after the incident and explained that her daughter had been abandoned in an unsafe  
11 area, helpless, and as a result suffered a traumatic sexual assault, UBER failed to escalate the  
12 situation to a supervisor, ask for the police contact, or suggest it would even speak to the driver about  
13 the incident or follow-up with JANE DOE or her mother. UBER never suggested it would investigate  
14 her complaint or take any further action.

15 17. Instead, on May 31, UBER “support” sent JANE DOE’s mother a boilerplate email  
16 which thanked her for reaching out and sharing her experience. The boilerplate response provided  
17 links to the UBER Resources Hotline, the National Sexual Assault Hotline, and law enforcement  
18 reporting.

19 18. UBER breached its duties to JANE DOE. As a result of UBER’s breaches, JANE  
20 DOE has suffered both emotionally and physically from the traumatic events she experienced  
21 because UBER abandoned her in an unsafe area, at night, and without her phone. It was reasonably  
22 foreseeable that UBER’s actions would result in harm to JANE DOE.

23 19. JANE DOE has suffered substantial hardships because of Defendant UBER’s  
24 conduct. JANE DOE’s life has been severely negatively impacted since the night she was abandoned  
25 by her UBER driver and subsequently sexually assaulted. She continues to experience severe  
26 emotional distress on a daily basis.

27 <sup>4</sup> Emily Steel, Uber’s Festering Sexual Assault Problem, N.Y. Times (Aug. 6, 2025),  
28 <https://www.nytimes.com/2025/08/06/business/uber-sexual-assault.html> (updated Aug. 7, 2025)  
(emphasis added).

1     **II.     JURISDICTION AND VENUE**

2             20.     This Court has personal jurisdiction over Defendant pursuant to California Code of  
3 Civil Procedure 410.10 because Defendant is headquartered in San Francisco, California and  
4 conducts business throughout California.

5             21.     Venue is proper in this Court pursuant to California Code of Civil Procedure Section  
6 395 because Defendant is headquartered in the City and County of San Francisco.

7             22.     The amount in controversy exceeds the jurisdictional minimum of this Court.

8     **III.    THE PARTIES**

9             23.     Plaintiff JANE DOE is an adult woman currently residing in Sacramento County,  
10 California.

11            24.     Defendant UBER TECHNOLOGIES, INC. (“UBER”) is a Delaware corporation  
12 with its principal place of business located at 1725 3rd Street, San Francisco, California 94158.  
13 UBER is a technology company that provides transportation and food delivery services through a  
14 mobile app.

15            25.     In addition to the named Defendant, various other individuals and entities may have  
16 performed acts and made statements in furtherance thereof, and otherwise participated in, the  
17 violations of law alleged herein. The true names and capacities of these individuals and entities,  
18 Does 1 through 10, inclusive, are unknown to Plaintiff at this time. Plaintiff therefore sues these  
19 Defendants, Does 1 through 10, by such fictitious names. Plaintiff further alleges that each of these  
20 Defendants, Does 1 through 10, is responsible for the acts and occurrences set forth herein. Plaintiff  
21 is informed and believes that discovery will reveal additional information concerning the identities  
22 of these Defendants, Does 1 through 10, and each of their acts and statements made in furtherance  
23 of the violations of law alleged herein. Plaintiff will seek to amend this complaint to show the true  
24 names and capacities of each of these Defendants, Does 1-10, and the manner in which each of them  
25 is responsible for the damages alleged herein, if, and when, such information is ascertained.

26     ///

27     ///

28     ///

1 **IV. FACTUAL BACKGROUND**

2 **A. JANE DOE's UBER driver abandoned her in a dangerous area, at night, in a**  
3 **vulnerable state, and without a phone**

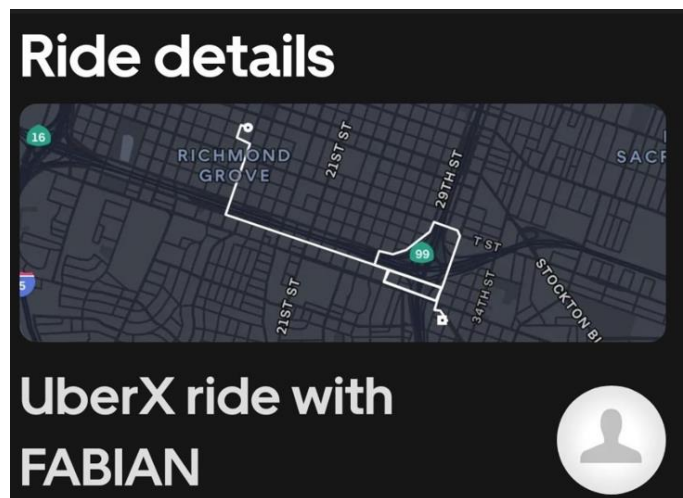
4 26. At 9:36 p.m. on the night of May 28, 2025, JANE DOE used the UBER app to order  
5 a ride home from a concert at the Ace of Spades venue in Sacramento.

6 27. The UBER app assigned "Fabian" as her driver for the ride. At 9:43 p.m., Fabian  
7 picked JANE DOE up from the concert in his capacity as a driver for UBER.

8 28. Before the concert, JANE DOE had consumed alcohol, and when she entered the  
9 UBER, she still felt the effects of the alcohol. As a result, at some point during the ride, she vomited  
10 in the vehicle.

11 29. UBER has a policy that if a rider makes a mess inside a vehicle that requires  
12 professional cleaning, the driver can let UBER know within three calendar days of the trip about the  
13 mess. UBER can then charge the rider a cleaning fee that will be paid directly to the driver. UBER's  
14 cleaning fee policy allows the driver to provide a receipt for the use of professional cleaning services  
15 or seek reimbursement for self-cleaning.<sup>5</sup>

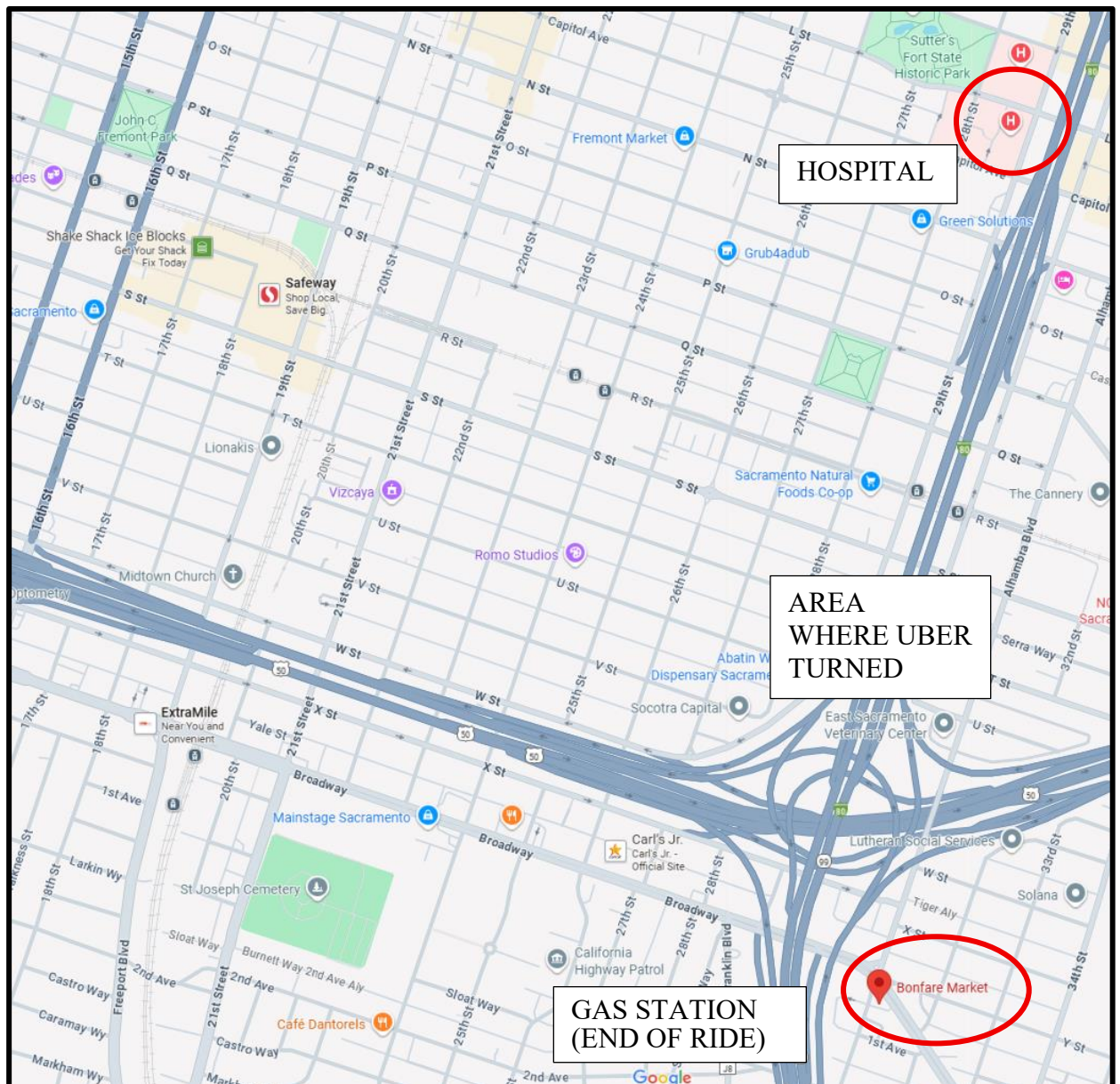
16 30. Instead of ensuring the safety of his intoxicated passenger and simply seeking  
17 reimbursement for vehicle cleaning fees later, Fabian deviated from the route to JANE DOE's home  
18 and circled the neighborhood, as shown in the below image of the UBER ride taken from JANE  
19 DOE's app.



28 <sup>5</sup> Uber, Rider made a mess (last visited July 28, 2025), <https://help.uber.com/en/riders/article/rider-made-a-mess?nodeId=6a60bda7-d8a6-46b7-bd95-2cdf62c7e987>.

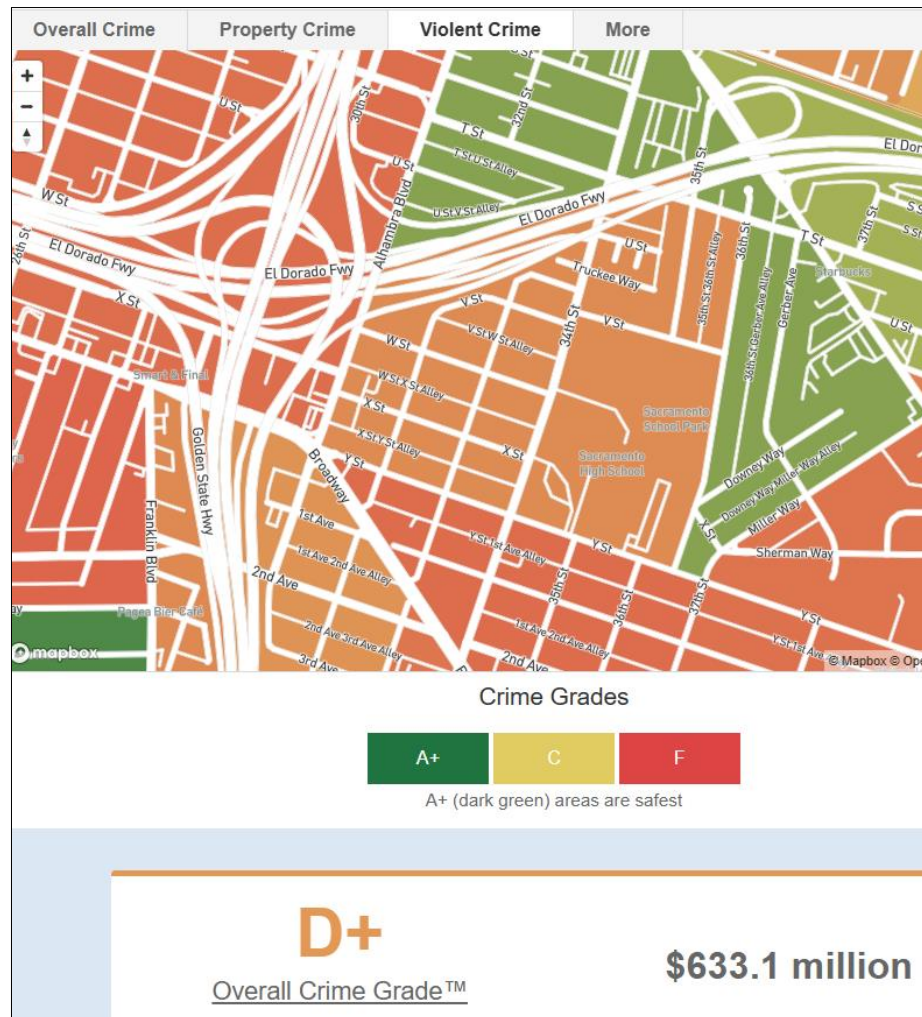


31. As shown in the below map, after deciding to forego taking JANE DOE to her planned destination (her home), Fabian drove within a mile of a hospital. Fabian not only failed to take JANE DOE home to her planned destination, he also remarkably circled and approached safer locations, yet instead chose to drive the other way. Ultimately the UBER driver forced JANE DOE out of his vehicle at a random location at 10:02 p.m. The UBER app shows that JANE DOE was dropped off at 3130 Broadway, near a gas station and Bonfare Market in the Oak Park neighborhood of Sacramento. This area experiences a high number of violent crimes.



Bonfare Market, Google Maps, <https://maps.google.com> (search 3100 Broadway, Sacramento, CA 95817) (text and circles added).

32. This Crimegrade.org map of violent crime per capita in Oak Park shows that the area around Bonfare Market has a high rate of violent crime, with a D+ overall crime grade. Any person driving through the area, and certainly one who spent time circling the area, would see that the area is visibly unsafe.



CrimeGrade.org, <https://crimegrade.org/> (search 95817 zip code, then zoom into area around 3130 Broadway, Sacramento, CA 95817, last visited August 29, 2025).

33. When JANE DOE’s UBER driver abandoned her near the parking lot of the gas station, knowing she was feeling unwell and vulnerable from alcohol consumption, the driver did not bother to ensure JANE DOE had her phone and belongings. He simply dumped her off near a dark parking lot. Her phone and keys were in fact still in his vehicle. As a result, JANE DOE—a young woman in an obviously vulnerable position—was left stranded alone near a parking lot in an unsafe area without her phone, and no means to order another rideshare.

1           **B.     JANE DOE was subsequently sexually assaulted**

2           34.     After her UBER driver deserted her near the gas station parking lot, JANE DOE did  
3 not know where she was, and she did not have her phone to ask for help.

4           35.     A man and woman in front of the gas station told JANE DOE they would help her.  
5 JANE DOE repeatedly asked them to bring her home and told them she would pay them for it. After  
6 the man persuaded the woman to bring JANE DOE home, JANE DOE got inside a vehicle with the  
7 two of them.

8           36.     Instead of bringing her home, the woman brought JANE DOE to an apartment, where  
9 JANE DOE, scared, continued to ask that she be taken home. Instead, the man from the gas station  
10 parking lot pulled out a knife and then sexually assaulted JANE DOE.

11          37.     After the man sexually assaulted JANE DOE, he forced her to inhale a drug that  
12 appeared to be cocaine. Because she was afraid of him and his knife, JANE DOE did as he instructed.  
13 The man later sexually assaulted JANE DOE again and choked her while he assaulted her, leading  
14 JANE DOE to suffer severe physical pain in addition to severe emotional distress. He then forced  
15 her to stay at his place overnight, and JANE DOE was too scared to attempt to escape.

16          38.     The next morning, the man sexually assaulted JANE DOE again before falling back  
17 asleep. When she confirmed that he had fallen back asleep, JANE DOE, terrified, decided to try to  
18 escape, and did so through a window. She ran to a university where she was able to call for help.  
19 She was immediately taken to a hospital for an examination, and she was later interviewed by  
20 authorities.

21          39.     JANE DOE's sexual assault is currently the subject of a criminal investigation by  
22 local law enforcement.

23           **C.     UBER specifically advertises its services to passengers who have been drinking**

24          40.     UBER provides a website and mobile application that allows any member of the  
25 public to request and pay for rides. UBER is widely known as the leading rideshare app. In many  
26 geographic areas, UBER and other rideshare apps are used more often than, and in lieu of, traditional  
27 taxi cabs. UBER advertises its services and is widely known to offer its rideshare transportation  
28 services to the general public for a fee. The "About us" section of UBER's website boasts that



1 “[m]ovement is what we power” and describes how UBER “help[s] riders find a way to go from  
2 point A to point B.”<sup>6</sup> Another section of UBER’s website describes how “[c]hanging how people  
3 can request rides and get from point A to point B is just the beginning.”<sup>7</sup>

4 41. UBER specifically advertises its services as a safe option for people who have been  
5 drinking. Indeed, a May 2021 article in the Journal of Health Economics estimated the impact of the  
6 presence of UBER’s UberX service on survey respondents’ reported alcohol consumption and found  
7 that the presence of UberX in a community was associated with a 3.6% increase in the average  
8 number of drinks per drinking day, a 2.7% increase in drinking days, and a 5.4% increase in total  
9 drinks.<sup>8</sup>

10 42. Since 2018, UBER and the Governors Highway Safety Association (“GHSA”) have  
11 partnered to encourage people who consume alcohol or other impairing substances to use ride-  
12 hailing services. On December 5, 2024, GHSA announced that it was partnering with UBER to make  
13 \$500,000 in UBER ride credits available to encourage people in certain states to plan ahead to take  
14 an UBER ride if they have been drinking.<sup>9</sup>

15 43. On September 14, 2021, Anheuser-Busch, Mothers Against Drunk Driving  
16 (“MADD”), and UBER announced the launch of a coalition aimed at bringing an end  
17 to drunk driving. This initiative, “Decide to Ride,” includes discounts and advertising at NFL games  
18 and on Instagram, Spotify, Facebook and Pandora with the message “if you drink, don’t drive.”<sup>10</sup>

19 44. On April 1, 2025, MADD and UBER teamed up for Alcohol Awareness Month to  
20 deliver the message “Don’t drive impaired—plan a ride home in advance.” The campaign included  
21

22  
23 <sup>6</sup> Uber, About us (last visited July 25, 2025), [https://www.uber.com/us/en/about/?uclick\\_id=718e41a4-2f25-4b60-abb5-b443e88663e7](https://www.uber.com/us/en/about/?uclick_id=718e41a4-2f25-4b60-abb5-b443e88663e7).

24 <sup>7</sup> Uber, Uber’s technology offerings (last visited July 25, 2025), [https://www.uber.com/us/en/about/uber-offerings/?uclick\\_id=718e41a4-2f25-4b60-abb5-b443e88663e7](https://www.uber.com/us/en/about/uber-offerings/?uclick_id=718e41a4-2f25-4b60-abb5-b443e88663e7).

25 <sup>8</sup> Keith Teltser, Conor Lennon & Jacob Burgdorf, Do ridesharing services increase alcohol  
26 consumption?, J. Health Econ. (May 2021).

27 <sup>9</sup> GHSA, Uber (Dec. 5, 2024), <https://www.ghsa.org/resource-hub/uber> (last accessed Aug. 28,  
28 2025).

<sup>10</sup> Anheuser-Busch, About Decide to Ride (last visited Aug. 28, 2025), [https://www.anheuser-busch.com/community/decide-to-ride?uclick\\_id=b27489fe-6456-45b4-8153-0cbccb608128](https://www.anheuser-busch.com/community/decide-to-ride?uclick_id=b27489fe-6456-45b4-8153-0cbccb608128).

an advertisement with a young woman who texted her father to say she had a few drinks, and his relief when she shared her UBER location.<sup>11</sup>

45. Through these partnerships and advertisements, UBER holds out to the public that its services are available for people who have been drinking. UBER also has a policy that “[r]iders are responsible for damage to the interior or exterior of a vehicle caused by incidents such as vomiting.”<sup>12</sup>

**D. UBER advertises that it offers a safe transportation service but fails to train drivers about passenger safety or provide adequate passenger safety measures**

46. UBER’s website claims that “[t]he UBER platform was built with safety in mind.”<sup>13</sup> Even though UBER advertises to the public that it offers a transportation service that brings passengers from point A to point B, it does not in fact properly train or require its drivers to deliver passengers to their chosen destination. UBER further fails to train drivers, including JANE DOE’s driver, about when, if ever, a unilateral change in drop-off location is permissible, and/or to ensure that the location and circumstances of the drop-off are safe.

47. In preparation for the company’s initial public offering in 2019, CEO Dara Khosrowshahi worked to clean up the company’s “tech-bro image.” He promised “a new era of transparency, integrity and accountability: ‘We do the right thing, period.’”<sup>14</sup> Yet, according to recent reports, “on Mr. Khosrowshahi’s watch, sexual misconduct has continued to fester.”<sup>15</sup>

---

<sup>11</sup> Mothers Against Drunk Driving, MADD and Uber Partner to Launch Lifesaving Campaign During Alcohol Awareness Month (April 1, 2025), <https://madd.org/press-release/madd-and-uber-partner-to-launch-lifesaving-campaign-during-alcohol-awareness-month/#:~:text=Watch%20the%20campaign%20videos%20here:&text=https://youtu.be/u7rC5cnCZMw,impacted%20by%20impaired%20driving%20crashes>. (last visited Aug. 28, 2025).

<sup>12</sup> Uber, Cleaning fees (last visited August 29, 2025), <https://help.uber.com/en/riders/article/cleaning-fees?nodeId=21dcbcf7-8fe0-4dd0-a906-06a0a427dc34>.

<sup>13</sup> Uber, Ride (last visited July 25, 2025), [https://www.uber.com/us/en/ride/safety/?uclick\\_id=b06ca6de-7de6-4f02-9968-4cc41c440c69](https://www.uber.com/us/en/ride/safety/?uclick_id=b06ca6de-7de6-4f02-9968-4cc41c440c69).

<sup>14</sup> Emily Steel, Uber’s Festering Sexual Assault Problem, N.Y. Times (Aug. 6, 2025), <https://www.nytimes.com/2025/08/06/business/uber-sexual-assault.html> (updated Aug. 7, 2025). In 2018, acknowledging the public backlash to forced arbitration relating to sexual assault claims, Uber announced that it would end forced arbitration agreements for passengers, drivers, or employees who made sexual misconduct claims against the company. *See id.*

<sup>15</sup> *Id.*

1 UBER’s Head of Safety in the Americas Hannah Nilles has stated that UBER has begun to require  
2 sexual assault and misconduct trainings in the United States.<sup>16</sup> There is no indication what this  
3 purported future training will entail, and if this “misconduct training” will address misconduct  
4 relating to passenger drop-off or other safety issues.

5 48. A link currently available on UBER’s website under the heading “Our commitment  
6 to safety” claims that UBER uses sensors and GPS data to detect if a trip goes off-course and will  
7 reach out to provide resources if the app sees an abnormal deviation in the route or drop-off  
8 location.<sup>17</sup> UBER also claims that it “uses data to enable reliable and convenient transportation,  
9 delivery, and other products and services” and “[t]o enhance the safety and security of our users and  
10 services.”<sup>18</sup> Yet even this feature would not have helped JANE DOE, given that she was abandoned  
11 by the UBER driver without her phone.

12 49. A recent New York Times article highlights that sexual assaults associated with  
13 UBER follow “distinct patterns.”<sup>19</sup> “Women most often are the victims, whether they are passengers  
14 or drivers. The attacks typically occur late at night and on the weekend, with pickups originating  
15 near a bar. In the vast majority of cases, the offenders are men — drivers or passengers — with  
16 records of sexual misconduct complaints and low ratings, the internal documents show. *Intoxicated*  
17 *passengers are especially vulnerable.*”<sup>20</sup>

18 50. According to the New York Times, “UBER also has undergone a significant business  
19 transformation, from a growth-at-all-costs strategy that racked up billions of dollars in losses to a  
20 sharp focus on profits and cutting expenses. The company had its first profitable year since going  
21 public in 2023.”

---

22  
23  
24 <sup>16</sup> *Id.*

25 <sup>17</sup> Uber, Our commitment to safety (last visited August 18, 2025),  
<https://www.uber.com/us/en/safety/>.

26 <sup>18</sup> Uber, Uber Privacy Notice: Drivers and Delivery People (last visited July 25, 2025),  
<https://www.uber.com/global/en/privacy-notice-drivers-delivery-people/?uclid=b06ca6de-7de6-4f02-9968-4cc41c440c69#how-we-use-data>.

27 <sup>19</sup> Emily Steel, Uber’s Festering Sexual Assault Problem, N.Y. Times (Aug. 6, 2025),  
28 <https://www.nytimes.com/2025/08/06/business/uber-sexual-assault.html> (updated Aug. 7, 2025).

<sup>20</sup> *Id.* (emphasis added)

1           51.     UBER has also experimented with assigning female drivers to female passengers and  
2 found it made rides much safer for both. Although UBER has seen success with this matching in  
3 other countries, it only announced plans to start testing this feature in three cities in the United States  
4 on July 23, 2025.<sup>21</sup>

5           52.     Although UBER entrusts drivers to transport its passengers, including vulnerable  
6 passengers who have consumed alcohol, UBER fails to adequately train drivers regarding passenger  
7 safety. Reports indicate that to avoid significant costs associated with traditional employment,  
8 “UBER goes to great lengths not to treat drivers as employees. That means limiting trainings or not  
9 requiring that certain equipment — like cameras — be installed in cars to avoid running afoul of  
10 employment law.”<sup>22</sup>

11           53.     UBER also specifically boasts about “Driving women’s safety forward” and claims  
12 that it is “dedicated to building a platform where women feel safe.”<sup>23</sup>

13           54.     Notwithstanding these representations, UBER is aware of serious safety problems for  
14 passengers who use its application. Indeed, UBER has received on average one report of sexual  
15 assault or sexual misconduct almost every eight minutes in the United States between 2017 and  
16 2022.<sup>24</sup>

17           55.     Teams of data scientists and safety experts have considered how to address UBER’s  
18 safety problems, but the company has delayed or not required its drivers to adopt some of the most  
19 promising programs. Indeed, UBER instructs its drivers that they can cancel a trip at any time.<sup>25</sup>  
20 While UBER’s community guidelines instruct drivers that they can end the trip and report the  
21 incident if they feel threatened or unsafe, there is apparently no requirement that drivers feel  
22 threatened before they evict their passengers.

---

23  
24 <sup>21</sup> *Id.*

25 <sup>22</sup> *Id.*

26 <sup>23</sup> Uber, Driving women’s safety forward, (last visited July 30, 2025),  
<https://www.uber.com/us/en/safety/womens-safety/>.

27 <sup>24</sup> Emily Steel, Uber’s Festering Sexual Assault Problem, N.Y. Times (Aug. 6, 2025),  
<https://www.nytimes.com/2025/08/06/business/uber-sexual-assault.html>.

28 <sup>25</sup> Uber, Uber’s Community Guidelines (last visited July 25, 2025),  
<https://www.uber.com/us/en/drive/basics/uber-community-guidelines/?uclid=b06ca6de-7de6-4f02-9968-4cc41c440c69>.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2  
3  
4  
5  
6  
7  
8  
9  
10

11  
12  
13  
14

15  
16  
17  
18

22

23

24

25

26  
27

28



59. UBER also creates the procedures drivers must follow when picking up and dropping off passengers. With respect to drop-offs, UBER instructs its drivers that they may cancel a trip at any time.<sup>32</sup>

60. UBER sets the fee charged for each ride. Before a rider is picked up, both the rider and driver see the price that is set by UBER for that trip.<sup>33</sup> UBER can also adjust the fare after a trip is completed due to issues like a delayed start or finish, a suboptimal route, or a technical problem.<sup>34</sup>

61. UBER thus determines not only how much the customer pays for the ride but also how much the driver is eventually paid.<sup>35</sup>

62. UBER drivers are subject to UBER's policies and procedures, which UBER creates and has the authority to enforce. For example, UBER drivers may be deactivated and no longer allowed to drive for UBER if they violate community guidelines like if they deliberately increase the time or distance of a trip or accept trip requests without the intention to complete them.<sup>36</sup>

63. UBER in fact exercises broad discretion to terminate its drivers. A survey of deactivated drivers found that the majority were given no explanation for why they were deactivated.<sup>37</sup> UBER thus has the power to fire its drivers without providing cause.

**F. After the incident, UBER failed to provide assistance to JANE DOE, escalate the incident, and/or conduct even minimal investigation of the incident**

64. In this case, JANE DOE's driver indicated after the incident that he was frustrated with JANE DOE because she had vomited in the vehicle. He chose to forego the scheduled drop-off

---

<sup>32</sup> Uber, Uber Privacy Notice: Drivers and Delivery People (last visited July 25, 2025), <https://www.uber.com/global/en/privacy-notice-drivers-delivery-people/?uclid=b06ca6de-7de6-4f02-9968-4cc41c440c69#how-we-use-data>.

<sup>33</sup> Uber, How are fares calculated?, <https://help.uber.com/riders/article/how-are-fares-calculated-?nodeId=d2d43bbc-f4bb-4882-b8bb-4bd8acf03a9d>.

<sup>34</sup> Uber, Fare adjustments, <https://help.uber.com/driving-and-delivering/article/fare-adjustments?nodeId=c64447f4-2985-49e0-ae19-e1c3361a1b6d>.

<sup>35</sup> Uber, Your earnings, explained, <https://www.uber.com/us/en/drive/how-much-drivers-make/>.

<sup>36</sup> Uber, Uber's Community Guidelines (last visited July 25, 2025), <https://www.uber.com/us/en/drive/basics/uber-community-guidelines/?uclid=b06ca6de-7de6-4f02-9968-4cc41c440c69>.

<sup>37</sup> Activate Respect (last visited Aug. 28, 2025), <https://activaterespect.com/>.

1 destination and abandon JANE DOE in an unsafe location. UBER simply permits its drivers to  
2 abandon passengers at any time, and in any unsavory location.

3 65. Indeed, after JANE DOE was finally able to get home, her UBER profile showed a  
4 message from Fabian to retrieve her phone and keys. Her mother then contacted Fabian, who first  
5 complained that JANE DOE had thrown up before confirming that he had JANE DOE's phone and  
6 keys.

7 66. After she contacted the driver, JANE DOE's mother called UBER on or about May  
8 31 and spoke to a representative on the phone about JANE DOE's experience. UBER was told a  
9 sexual assault occurred and that an intoxicated JANE DOE was taken not to her destination but  
10 instead to an unsafe area, without a phone. UBER did not offer to investigate the incident or provide  
11 any other personalized support. UBER also did not escalate the situation to a supervisor or indicate  
12 it would even speak to the driver, let alone investigate the incident.

13 67. Instead of taking any such actions, on the afternoon of May 31, UBER support sent  
14 JANE DOE's mother a boilerplate email which thanked her for reaching out and sharing her  
15 experience and provided links to the UBER Resources Hotline, the National Sexual Assault Hotline,  
16 and law enforcement reporting.

17 68. On June 1, JANE DOE was finally able to get her phone and keys back from Fabian.  
18 At that time, JANE DOE's mother revealed to Fabian that something horrible had happened to her  
19 young daughter because he had abandoned JANE DOE. In an emotional plea, she asked the driver  
20 to never leave a young woman in this situation again. JANE DOE's mother specifically pointed out  
21 the danger of leaving a young woman alone in an unsafe area of town without a phone or other way  
22 to get help.

23 69. Fabian never offered an excuse for his actions, instead blaming JANE DOE for  
24 vomiting in his vehicle, and admitting he had been frustrated because another passenger had recently  
25 done the same thing a week prior.

26 ///

27 ///

28 ///

1 **V. CAUSES OF ACTION**

2 **FIRST CAUSE OF ACTION**

3 **NEGLIGENCE**

4 70. JANE DOE hereby realleges and incorporates by reference each and every allegation  
5 set forth in the above paragraphs, as if fully set forth herein.

6 71. JANE DOE alleges she was harmed by UBER's negligence in promising to get her  
7 from point A to point B safely when she was abandoned at night in an unsafe area, which resulted  
8 in her subsequent sexual assault.

9 72. UBER is directly liable for common carrier negligence and negligent entrustment,  
10 and it is also vicariously liable for its driver's negligence.

11 ***COMMON CARRIER NEGLIGENCE***

12 73. UBER established a common carrier-passenger special relationship with JANE DOE.

13 74. This common carrier relationship extended to all aspects of the ride, including  
14 through drop-off to what should have been a safe location. As a common carrier, UBER must use  
15 the highest care and vigilance to ensure that its passengers like JANE DOE are safely transported to  
16 their final destinations, and to provide its passengers with a safe place to get on and off its vehicles.  
17 UBER is a common carrier because:

- 18 a. It maintains a regular place of business for the purpose of transporting passengers.  
19 UBER's primary service is a digital application that allows passengers to obtain  
20 transportation. UBER's website states that it "help[s] riders find a way to go from  
21 point A to point B," and it claims that its "platform was built with safety in mind";  
22 b. UBER advertises its transportation services to the general public. UBER explains on  
23 its website that "[a]ll you need is an email address and phone number" and then you  
24 can enter your destination, meet your driver, and enjoy your ride, with "[p]eace of  
25 mind on ever ride";<sup>38</sup> and  
26 c. UBER charges fees for transporting passengers.

27 <sup>38</sup> Uber, A guide for how to use Uber (last visited July 25, 2025),  
28 [https://www.uber.com/gh/en/ride/how-it-works/?uclick\\_id=b06ca6de-7de6-4f02-9968-4cc41c440c69](https://www.uber.com/gh/en/ride/how-it-works/?uclick_id=b06ca6de-7de6-4f02-9968-4cc41c440c69).

1           75.     JANE DOE used UBER's services to transport her for a fee through an authorized  
2 UBER driver and that driver's vehicle, registered for use through the UBER app.

3           76.     UBER accepted JANE DOE as a passenger. JANE DOE placed herself under the  
4 control of UBER as a common carrier.

5           77.     Because of UBER's special relationship with JANE DOE, UBER owed JANE DOE  
6 a heightened duty of care. As a common carrier under Civil Code Section 2100, UBER is required  
7 to use the utmost care and diligence to ensure the safe carriage of its passengers like JANE DOE,  
8 provide everything necessary for that purpose, and exercise to that end a reasonable degree of skill.

9           78.     As a common carrier, UBER has a non-delegable duty to transport passengers safely.  
10 This heightened duty includes a duty to protect passengers from foreseeable harm caused by third  
11 parties.

12           79.     UBER, as a common carrier, must do all that human care, vigilance, and foresight  
13 reasonably can do under the circumstances to avoid harm to passengers, including JANE DOE.  
14 UBER, as a common carrier, must exercise reasonable skill to provide everything necessary for safe  
15 transportation, in view of the transportation used and the practical operation of the business.

16           80.     UBER passengers and UBER drivers are subject to UBER's policies and procedures,  
17 which UBER has the discretion to design and enforce. By failing to set up requirements for the safe  
18 discharge of passengers and instead allowing its driver to discharge JANE DOE in an unsafe  
19 location, UBER did not act with the utmost care and diligence.

20           81.     UBER's duty of due care as a common carrier continued until JANE DOE was  
21 discharged into a reasonably safe place.

22           82.     UBER breached its common carrier duty of care when its driver dropped JANE DOE  
23 off in an unsafe location. As a common carrier, UBER had a non-delegable duty to transport JANE  
24 DOE safely and protect her from harm caused by third parties. UBER breached this duty by failing  
25 to require its drivers to drop passengers off at safe locations.

26           83.     The UBER driver's action of abandoning JANE DOE in a hazardous area without  
27 access to a phone was a substantial contributing factor to her eventual injury as a victim of crime.  
28 In addition to dropping JANE DOE off in an unsafe area, and without a phone or belongings, the

1 UBER driver knew that JANE DOE was under the influence of alcohol, and even more vulnerable  
2 in an unsafe area.

3 84. The harm JANE DOE experienced was a foreseeable consequence of her  
4 abandonment in an unfamiliar and high-crime area at night and without her phone, instead of the  
5 scheduled drop-off she had agreed to pay for to her home or at least to another safe location. UBER  
6 should have known and could have reasonably foreseen that another person would likely take  
7 advantage of the situation created by UBER. UBER violated its common carrier's affirmative duty  
8 to prevent harm to its passengers.

9 85. As a result of UBER's common carrier negligence, JANE DOE suffered and  
10 continues to suffer pain, anxiety, severe emotional distress and other general damages, in a sum to  
11 be determined at trial. To this day, she continues to suffer from severe psychological and physical  
12 harm, mental pain and anguish, loss of enjoyment of life, and other special and general damages, in  
13 a sum to be determined at trial.

14 ***NEGLIGENT UNDERTAKING***

15 86. UBER further failed to exercise reasonable care in rendering services to JANE DOE,  
16 and thus is liable for negligent undertaking.

17 87. UBER rendered transportation services to JANE DOE for a charge.

18 88. These transportation services that JANE DOE offered were of a kind that UBER  
19 should have recognized as needed for the protection of JANE DOE to ensure that she could arrive  
20 safely home. JANE DOE called an UBER because she had consumed alcohol and needed a safe way  
21 to get home, and UBER should have recognized that its customers, like JANE DOE, are often in  
22 vulnerable situations where they require UBER's services.

23 89. UBER failed to exercise reasonable care in rendering these services because it allows  
24 its drivers—including Fabian—to transport customers like JANE DOE to an unfamiliar, unsafe  
25 location without confirming that the passengers have their phones.

26 90. UBER's failure to exercise reasonable care was a substantial factor in causing harm  
27 to JANE DOE.

28

1           91.     UBER's failure to use reasonable care added to the risk of harm by allowing its driver  
2 to transport JANE DOE to an unfamiliar, unsafe location where she no longer had access to her  
3 phone.

4           92.     UBER's services were negligent because it led to the reasonably foreseeable  
5 consequence that third parties in such circumstance would seek to take advantage of an UBER  
6 passenger's vulnerable situation and harm and/or commit a crime against her. UBER should have  
7 known and could have reasonably foreseen that another person would be likely to take advantage of  
8 the situation created by UBER. UBER can therefore be held liable for the injurious and/or criminal  
9 conduct of a third party because UBER's failure to train was a proximate cause of JANE DOE's  
10 injuries.

11          93.     UBER's conduct of offering transportation services to passengers and then dropping  
12 them off in unsafe locations instead of their chosen destinations is also morally blameworthy.  
13 Society should want to discourage UBER from offering transportation services to customers that  
14 results in their abandonment in unsafe locations.

15          94.     As a result of UBER's negligent undertaking, JANE DOE suffered both physical  
16 harm and serious emotional distress. To this day, she continues to suffer from severe psychological  
17 and physical harm, mental pain and anguish, loss of enjoyment of life, and other special and general  
18 damages, in a sum to be determined at trial.

19 ***NEGLIGENCE—VICARIOUS LIABILITY***

20          95.     In addition to being directly liable as a common carrier and for its negligent  
21 undertaking, UBER is also vicariously liable for the negligence of its driver.

22          96.     When JANE DOE was a passenger in the UBER driver's vehicle, she was exposed  
23 to hazards while her freedom of movement was under the control of the driver. The UBER driver  
24 therefore was subject to a heightened common carrier's duty of care when JANE DOE was a  
25 passenger in his vehicle.

26          97.     Independent of this heightened common carrier's duty of care, the UBER driver also  
27 had a duty of care as the operator of a motor vehicle to prevent increasing the danger or injury to a  
28 passenger from his operation of the vehicle, for which UBER is vicariously liable.

1           98.     The UBER driver breached the heightened common carrier's duty of care by  
2 abandoning JANE DOE in an unsafe location, and without her phone. The UBER driver also  
3 breached the duty of care of an operator of a motor vehicle by increasing the risk of danger to his  
4 passenger through his use of the vehicle.

5           99.     When the UBER driver abandoned a visibly intoxicated woman in an unsafe area,  
6 and without access to her phone, he did not act with the utmost care.

7           100.    The UBER driver's action also increased the risk of danger to his passenger by  
8 creating a risk that JANE DOE would be harmed and/or the victim of a crime. By abandoning JANE  
9 DOE in an unfamiliar, unsafe area, at night, and without her phone, the UBER driver greatly  
10 increased the risk that JANE DOE would become harmed. His conduct was thus closely related to  
11 the actual harm she suffered.

12           101.    The UBER driver's conduct of abandoning a vulnerable woman in an unsafe area of  
13 his choosing and without her phone is also morally blameworthy. Society should want to discourage  
14 UBER drivers and other rideshare drivers from abandoning passengers in unsafe locations.

15           102.    The UBER driver's behavior in breaching these duties led to the reasonably  
16 foreseeable consequence that third parties would seek to take advantage of JANE DOE's vulnerable  
17 situation and harm and/or commit a crime against her. The driver should have known and could have  
18 reasonably foreseen that another person would take advantage of the situation created by his conduct.  
19 The UBER driver's conduct was the proximate cause of JANE DOE's injuries.

20           103.    As a result of the UBER driver's negligence, JANE DOE suffered both physical harm  
21 and serious emotional distress. To this day, she continues to suffer severe psychological and physical  
22 damages, mental pain and anguish, loss of enjoyment of life, and other special and general damages,  
23 in a sum to be determined at trial.

24           104.    The harm JANE DOE experienced was a foreseeable consequence of her  
25 abandonment in a random, high-crime location, at night, and without her phone. By subjecting JANE  
26 DOE to this reasonably foreseeable injury, her UBER driver violated both his common carrier's  
27 affirmative duty to prevent harm to its passengers and an ordinary duty of care.

1           105. UBER is vicariously liable for the UBER driver's actions through respondeat  
2 superior, ostensible agency, and ratification.

3                     *i. Respondeat Superior*

4           106. UBER is responsible for torts committed by its agents or employees who are acting  
5 within the scope of that agency when the incident occurred.

6           107. When UBER driver Fabian abandoned JANE DOE in an unfamiliar, unsafe area, at  
7 night, without her phone and belongings, he was acting as UBER's agent or employee, regardless of  
8 any label provided by UBER via its employment classifications. UBER authorized Fabian—as an  
9 authorized UBER driver using an authorized UBER vehicle—to pick up and drop off passengers on  
10 UBER's behalf. UBER had the right to control how Fabian performed the work of driving, including  
11 because of the following:

- 12           a. UBER sets the price of UBER rides, including additional fees and costs imposed on  
13           the passenger and any discounts for the passenger. For example, UBER can reduce  
14           the fee for a ride if the driver takes an unnecessarily circuitous route, and UBER can  
15           request additional payment if the passenger makes a mess in the vehicle;
- 16           b. UBER controls the initial contact between drivers and the customer base and retains  
17           control over passengers' contact information;
- 18           c. UBER monitors the driver's route and instructs drivers on where to pick up and drop  
19           off passengers;
- 20           d. UBER maintains auto insurance on behalf of its drivers and an emergency button that  
21           allows drivers to quickly share their trip details with authorities;
- 22           e. UBER's business model depends on the services provided by its drivers;
- 23           f. There are no apparent specialized skills needed to drive for UBER;
- 24           g. UBER sets community guidelines that its drivers are expected to follow;
- 25           h. UBER retains the right to fire ("deactivate") its drivers without explanation.

26           108. When Fabian abandoned JANE DOE at night in an unfamiliar and unsafe area  
27 without her phone and belongings, he was acting within the scope of his work for UBER because:  
28



- 1 a. Fabian's actions were reasonably related to the tasks that he was employed by UBER  
2 to perform, given that Fabian's responsibilities as a driver included transporting  
3 passengers to a drop-off location and then dropping passengers off there, and  
4 b. His actions were reasonably foreseeable in light of UBER's business and Fabian's  
5 job responsibilities. UBER allows its drivers to cancel a ride at any time, and it does  
6 not train its drivers properly about passenger safety and the importance of dropping  
7 passengers off in safe locations.

8 109. UBER is responsible for the harm caused by Fabian's negligence because:

- 9 a. Fabian was a driver operating on behalf of UBER, through the UBER app, hired by  
10 UBER to safely and professionally communicate with, transport, and deliver  
11 passengers to a scheduled and safe location, and  
12 b. Fabian was acting within the scope of his work for UBER when he harmed JANE  
13 DOE.

14 *ii. Ostensible Agency*

15 110. UBER intentionally or through want of care caused JANE DOE and other passengers  
16 to believe that UBER drivers were UBER's agents who had the authority to provide safe  
17 transportation on UBER's behalf.

18 111. UBER intentionally or carelessly created the impression that Fabian was UBER's  
19 agent, including by:

- 20 a. advertising to the public that it provides a service for passengers to get safe rides from  
21 point A to point B via the UBER app;  
22 b. advertising to the public that it uses sensors and GPS data to detect if a trip goes off-  
23 course and will reach out to provide resources if anything out of the ordinary happens;  
24 c. supplying and managing the UBER app which allowed JANE DOE to order a ride,  
25 and Fabian to pick up JANE DOE on its behalf;  
26 d. tracking the ride that JANE DOE was taking in Fabian's vehicle on the UBER app;  
27 e. setting the price for the ride that JANE DOE took in Fabian's vehicle;  
28 f. establishing the policies and procedures that Fabian had to follow; and

1           g. allowing JANE DOE to complain about Fabian’s performance through UBER and  
2           retaining the discretion to terminate Fabian as an UBER driver.

3           112. JANE DOE reasonably believed that Fabian was UBER’s agent who would provide  
4 her with a safe ride to her requested destination based on UBER’s express and implied  
5 representations.

6           113. JANE DOE then reasonably relied on her belief that Fabian was UBER’s agent who  
7 would provide the safe ride advertised by UBER by ordering a ride via the UBER app.

8           114. The scope of the apparent agency extends to all of Fabian’s conduct in transporting  
9 JANE DOE. Fabian’s act of dropping JANE DOE off in an unsafe location clearly fell within the  
10 scope of this ostensible agency.

11           115. UBER is therefore liable for Fabian’s negligent conduct, as detailed above, and  
12 below, because he was acting as UBER’s apparent agent.

13                           *iii. Ratification*

14           116. UBER ratified Fabian’s conduct after it occurred.

15           117. Fabian purported to act on behalf of UBER, regardless of whether he was actually  
16 authorized to do so. When JANE DOE ordered a ride via the UBER app, Fabian appeared and picked  
17 her up as her UBER driver.

18           118. Fabian was acting as an UBER driver when he forced her out of his car in an unsafe  
19 location.

20           119. UBER was tracking JANE DOE’s progress in Fabian’s car and was therefore aware  
21 that Fabian had taken a different route and then dropped JANE DOE off in a different location than  
22 the one she had requested.

23           120. UBER further learned the details about how Fabian had abandoned JANE DOE in an  
24 unfamiliar and unsafe area and all the material facts involved in her drop-off when JANE DOE’s  
25 mother called UBER and spoke with an UBER representative.

26           121. After JANE DOE’s mother reported Fabian’s misconduct, UBER failed to  
27 investigate, escalate, or otherwise disapprove of Fabian’s conduct. UBER thus ratified and  
28

1 represented that Fabian had acted appropriately in abandoning JANE DOE in an unfamiliar and  
2 unsafe area instead of bringing her to her chosen destination or another safe location.

3 122. Because UBER ratified and approved of Fabian's conduct after it learned of his  
4 conduct, UBER is responsible for the harm and damage, as detailed above and below, caused by  
5 Fabian's conduct.

## 6 **SECOND CAUSE OF ACTION**

### 7 **NEGLIGENT TRAINING AND SUPERVISION**

8 123. JANE DOE hereby realleges and incorporates by reference each and every allegation  
9 set forth in the above paragraphs, as if fully set forth herein.

10 124. UBER failed to appropriately train its drivers regarding customer safety and customer  
11 drop-off.

12 125. JANE DOE was harmed because an UBER driver made the unilateral choice to  
13 abandon JANE DOE alone at night, without her phone, and at a random location in an unsafe area.  
14 UBER is responsible for the harm because it negligently trains its drivers, including with regard to  
15 drop-off protocols and safety. Because UBER offers transportation services to its customers via its  
16 applications, UBER has a duty to use reasonable care in training its drivers to prevent harm to its  
17 passengers from the rides that it offers, including in safely dropping off passengers.

#### 18 ***NEGLIGENT TRAINING***

19 126. UBER hires drivers like Fabian to drive for its app.

20 127. Without training on where it is appropriate to drop off passengers, UBER drivers like  
21 Fabian are unfit or incompetent to safely transport passengers because they may drop passengers off  
22 in random unsafe areas, including in unsafe locations the driver chooses on his/her own, where it is  
23 foreseeable the passenger might be harmed. UBER drivers thus can arbitrarily and unsafely abandon  
24 passengers, including vulnerable passengers, subjecting them to unsafe conditions.

25 128. UBER knew or should have known that without training on safe passenger drop-off,  
26 UBER drivers like Fabian are unfit or incompetent to safely transport passengers because they may  
27 drop passengers off at random locations of the drivers' choosing, including in unsafe locations where  
28 it is foreseeable they might be harmed.

1           129. In this case, UBER's improper training on passenger drop-off harmed JANE DOE  
2 because it resulted in her being dropped off alone, without a phone, in an unfamiliar, unsafe area at  
3 night.

4           130. UBER's failure to train its drivers not to arbitrarily abandon a passenger and forego  
5 the passenger's chosen destination, and its failure to train its drivers to drop passengers off in safe  
6 areas and ensure passengers exit the vehicle with all of their belongings, greatly increases the risk  
7 that passengers will become victims of crime and/or face serious harm. UBER's conduct is thus  
8 closely related to the actual harm JANE DOE suffered.

9           131. UBER's conduct of allowing its drivers to abandon passengers in unsafe areas, at a  
10 random location of the driver's choosing—including passengers who are alone at night and in a  
11 vulnerable state—is also morally blameworthy. Society should want to discourage UBER from  
12 failing to train its drivers regarding safe drop-off protocols.

13           132. UBER's failure to train was negligent because it led to the reasonably foreseeable  
14 consequence that third parties in such circumstance would seek to take advantage of an UBER  
15 passenger's vulnerable situation and inflict harm against her. UBER should have known and could  
16 have reasonably foreseen that another person would be likely to take advantage of the situation  
17 created by UBER. UBER can therefore be held liable for the injurious and/or criminal conduct of a  
18 third party because UBER's failure to train was a proximate cause of JANE DOE's injuries.

19           133. As a result of UBER's negligent failure to train, JANE DOE suffered both physical  
20 harm and serious emotional distress. To this day, she continues to suffer from severe psychological  
21 and physical harm, mental pain and anguish, loss of enjoyment of life, and other special and general  
22 damages, in a sum to be determined at trial.

23 ***NEGLIGENT SUPERVISION***

24           134. UBER hires drivers like Fabian to drive for its app.

25           135. Without proper supervision when they are transporting and dropping off passengers,  
26 UBER drivers like Fabian are unfit or incompetent to safely transport passengers because they may  
27 drop passengers off in unsafe areas, including in unsafe locations the driver chooses on his/her own,  
28 where it is foreseeable the passenger might be harmed.

1           136. UBER knew or should have known that without proper supervision, UBER drivers  
2 like Fabian are unfit or incompetent to safely transport passengers because they may drop them off  
3 at random and unsafe locations where it is foreseeable they might be harmed.

4           137. In this case, UBER's failure to supervise Fabian harmed JANE DOE because it  
5 resulted in her being dropped off alone without a phone in an unfamiliar, unsafe area.

6           138. UBER's failure to supervise its drivers when they are transporting and dropping off  
7 passengers greatly increases the risk that drivers will drop passengers off in unfamiliar, unsafe areas  
8 where they will become victims of crime and/or face serious harm. UBER's conduct is thus closely  
9 related to the actual harm JANE DOE suffered.

10          139. UBER's conduct of failing to adequately supervise its drivers when they are  
11 transporting passengers is also morally blameworthy. Society should want to discourage UBER from  
12 failing to supervise its drivers so that they are able to abandon passengers in unsafe areas, at a random  
13 location of the driver's choosing.

14          140. UBER's failure to supervise was negligent because it led to the reasonably  
15 foreseeable consequence that third parties in such circumstance would seek to take advantage of an  
16 UBER passenger's vulnerable situation and harm her. UBER should have known and could have  
17 reasonably foreseen that another person would be likely to take advantage of the situation created  
18 by UBER. UBER can therefore be held liable for the injurious and/or criminal conduct of a third  
19 party because UBER's failure to supervise was a proximate cause of JANE DOE's injuries.

20          141. As a result of UBER's negligent failure to supervise, JANE DOE suffered both  
21 physical harm and serious emotional distress. To this day, she continues to suffer from severe  
22 psychological and physical harm, mental pain and anguish, loss of enjoyment of life, and other  
23 special and general damages, in a sum to be determined at trial.

24 ///

25 ///

26 ///

27 ///

28 ///

1 **VI. PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

- 3 1) For general and special damages in an amount to be proven at trial;  
4 2) For costs of suit incurred;  
5 3) For pre- and post- judgment interest to the extent permitted by law;  
6 4) For such other relief as the Court deems just and proper.

7  
8 Dated: September 8, 2025

**COTCHETT, PITRE & McCARTHY, LLP**

9  
10  
11 By:   
12 SARVENAZ "NAZY" J. FAHIMI  
13 REGINA WANG

14 *Attorneys for Plaintiff*

15 **VII. DEMAND FOR JURY TRIAL**

16 PLAINTIFF demands a trial by jury in this action.

17  
18 Dated: September 8, 2025

**COTCHETT, PITRE & McCARTHY, LLP**

19  
20  
21 By:   
22 SARVENAZ "NAZY" J. FAHIMI  
23 REGINA WANG

24 *Attorneys for Plaintiff*