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8
 9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

13	JANE SL102, an individual,	)	Case No. 3:26-md-3171
14)	
14	Plaintiff,	)	COMPLAINT FOR DAMAGES AND
15	v.	)	DEMAND FOR JURY TRIAL
15)	
16	LYFT, INC., a Delaware corporation,	)	1. GENERAL NEGLIGENCE
17		)	2. NEGLIGENCE BASED ON FAILURE
17		)	TO WARN
18	Defendant.	)	3. NEGLIGENT MISREPRESENTATION
18)	
19		)	4. NEGLIGENT HIRING, SUPERVISION, AND
19		)	RETENTION
20)	
21		)	5. INTENTIONAL MISREPRESENTATION
21)	
22		)	6. COMMON CARRIER NEGLIGENCE
22)	
23		)	7. STRICT PRODUCT LIABILITY BASED ON
23		)	DESIGN DEFECT
24)	
24		)	8. STRICT PRODUCT LIABILITY BASED ON
25		)	FAILURE TO WARN
25)	
26)	

1 Plaintiff, JANE SL102¹, alleges the following against Defendant LYFT, INC. (LYFT), a
2 Delaware corporation:

3
4 **INTRODUCTION**

5 1. On September 26, 2023, JANE SL102 used the LYFT app to hail a ride from her previous
6 home in Houston, Texas to a park.

7 2. During the ride, JANE SL102 was sexually assaulted by her LYFT driver.

8 3. The LYFT driver sexually assaulted JANE SL102 while in the course and scope; of his
9 employment with LYFT.

10 4. JANE SL102 brings this civil action against LYFT to recover damages for the extensive
11 injuries she suffered as a result of the subject sexual assault.

12
13 **PARTIES, JURISDICTION, AND VENUE**

14 5. JANE SL102 is an adult and a resident of Texas who was living in Houston, Texas at
15 the time of the sexual assault.

16 6. LYFT is headquartered in San Francisco, California, and is a citizen of the state of
17 California.

18 7. LYFT is a transportation network company (TNC) and ridesharing platform that connects
19 riders with drivers, bikes, and scooters via a smartphone app, operating across the U.S. and in over 200+
20 cities.
21

22 8. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332(a)
23
24

25
26 ¹ JANE SL102 filed this lawsuit using a pseudonym to protect her privacy and because she fears further
27 psychological injury if her name were publicly disclosed, as this lawsuit involves facts of the utmost intimacy
regarding JANE SL102's sexual assault. JANE SL102's true identity will be promptly disclosed to Defendant upon
request or in compliance with Court order.

1 because: (i) the amount in controversy exceeds \$75,000, exclusive of interest and costs; and (ii) JANE
2 SL102 and Defendant are citizens of different states.

3 9. This Court has personal jurisdiction over Defendant because LYFT is headquartered in
4 California and committed the acts complained of herein in this State and in this District. Defendant has
5 significant contacts with the District such that LYFT is subject to personal jurisdiction of the Court.

6 10. This Court has personal jurisdiction over Defendant for the additional reason that it has
7 engaged in substantial, systematic and continuous contacts with this State by, *inter alia*, regularly
8 conducting and soliciting business in this State and this District, deriving substantial revenue from
9 products and/or services provided to persons in this State and this District, and in some circumstance,
10 from products and services provided from persons in this State.

11 11. A substantial part of the events and omissions giving rise JANE SL102's causes of action
12 occurred in the Northern District of California. Pursuant to 28 U.S.C. § 1391(a), venue is proper in the
13 Northern District of California.
14

15 **FACTUAL ALLEGATIONS**

16 12. LYFT offers a ridesharing service, similar to a taxi service. LYFT is a transportation
17 company headquartered in San Francisco, California and is one of the fastest growing companies in the
18 United States. LYFT is a Transportation Network Company as defined by California Public Utilities Code
19 Section 5431c.
20

21 13. At least as early as 2015, LYFT, including LYFT's officers, directors and/or managing
22 agents, became aware that LYFT drivers were sexually assaulting female customers. Since 2015, sexual
23 predators driving for LYFT have continued to sexually assault LYFT's female passengers. For four years,
24 LYFT, including LYFT's officers, directors and/or managing agents, has known of the ongoing sexual
25 assaults by LYFT drivers upon LYFT customers. Complaints to LYFT by female customers who have
26 been attacked by LYFT drivers, combined with subsequent criminal investigations by law enforcement,
27

1 clearly establish that LYFT, including LYFT’s officers, directors and/or managing agents, has been fully
2 aware of these continuing attacks by sexual predators driving for LYFT.

3 14. LYFT’s response to this sexual predator crisis amongst LYFT drivers has been appallingly
4 inadequate. LYFT, at the direction of LYFT’s officers, directors and/or managing agents, continues to
5 hire drivers without performing adequate background checks. LYFT continues to allow culpable drivers
6 who have complaints of rape and sexual assault lodged against them to keep driving for LYFT. And, most
7 importantly, LYFT, at the direction of LYFT’s officers, directors and/or managing agents, has failed to
8 adopt and implement reasonable driver monitoring procedures designed to protect the safety of its
9 passengers. Consequently, LYFT passengers continue to be victims of sexual assaults and rapes by LYFT
10 drivers.
11

12 15. To utilize the service, a LYFT customer uses a smartphone application (hereinafter the
13 “LYFT Ridesharing App” or “LYFT App”) to request a ride in a motor vehicle. The LYFT App
14 communicates with a LYFT driver who then picks up the customer in a vehicle that is identified as a
15 LYFT vehicle and drives the customer to the customer’s destination. Passengers pay LYFT a fee in
16 exchange for safe passage to their destination.

17 16. LYFT’s public representations state that “safety is our top priority” and “it is our goal to
18 make every ride safe, comfortable and reliable.”

19 17. Sadly, LYFT’s priority is not passenger safety. Profits and market share are LYFT’s
20 priority. LYFT could make a few simple changes to the LYFT Ridesharing App to vastly increase
21 passenger safety, but unfortunately, LYFT has chosen to not do so. As a result, JANE SL102, and other
22 female passengers, continue to be attacked by sexual predators and have their lives irrevocably altered by
23 LYFT’s drivers.
24

25 18. LYFT, at the direction of LYFT’s officers, directors and/or managing agents, understands
26 that reports of rape and sexual assault by its drivers is not good for its business. Instead of taking a few
27

1 basic and simple measures to prevent rapes and sexual assault of their passengers, LYFT, at the direction
2 of LYFT's officers, directors and/or managing agents, has chosen to hide and conceal from the public the
3 staggering number of reported rapes and sexual assaults that occur within their vehicles. LYFT, at the
4 direction of their officers, directors and/or managing agents, has made a concerted effort in the media, in
5 litigation and in criminal cases to hide and conceal the true extent of sexual assaults that occur in their
6 vehicles.

7
8 19. Based on information and belief, JANE SL102 confidently alleges that LYFT officers,
9 directors and/or managing agents are aware that several thousands of people have been assaulted in LYFT
10 vehicles. LYFT officers, directors and/or managing agents have hidden those facts and numbers from their
11 customers and passengers.

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

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

19 22. 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 corporate
22 headquarters in San Francisco. Corporate decision-making with respect to how LYFT responds to
23 complaints of sexual assault is centered at LYFT's corporate headquarters in San Francisco. Corporate
24 decision-making with respect to how LYFT choses to stonewall and fail to cooperate with law
25 enforcement investigating assaults of their drivers is centered at LYFT's corporate headquarters in San
26

1 Francisco. Decisions with respect to the vetting of LYFT drivers and the supervision and non-supervision
2 of LYFT drivers vis a vis the safety of its passengers are made and implemented in its San Francisco
3 headquarters. Corporate decision-making with respect to LYFT's decision not to report assaults that they
4 are aware of to law enforcement and other ride sharing companies that employ the assailants is centered
5 at LYFT's corporate headquarters in San Francisco. Decisions with respect to the design of the LYFT App
6 and implementation of changes with the LYFT App that effect passenger safety are made and implemented
7 in its San Francisco headquarters. Corporate decision-making with respect to LYFT's policies and
8 procedures to allow reported sexual predators to continue to drive for LYFT is centered at LYFT's
9 corporate headquarters in San Francisco. Decisions regarding LYFT's contract with LYFT customers
10 specifies that the agreement should be governed by California law. The specific officers, directors and/or
11 managing agents responsible for the policies and procedures guiding LYFT are centered at LYFT's
12 corporate headquarters in San Francisco.
13

14 **INADEQUATE SAFETY PRECAUTIONS AND INADEQUATE SCREENING**

15 23. The hiring of LYFT drivers occurs without any real screening. Prospective LYFT drivers
16 merely fill out an application online. There is no interview either in person or through a video or phone
17 conference, (i.e. Skype or FaceTime.) There is no adequate background check and no biometric
18 fingerprinting. Almost all online applicants are approved to become drivers. Once a LYFT applicant
19 becomes a driver, LYFT fails to utilize its own technology, including in car cameras and GPS tracking, to
20 ensure that drivers keep the camera running during the entire ride and that the driver remains on course to
21 the passenger's destination.
22

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

26 25. LYFT, including LYFT officers, directors and/or managing agents, does not require non-
27

1 harassment training. LYFT does not adequately investigate customer complaints of sexually inappropriate
2 behavior or serious sexual assaults. Notwithstanding LYFT's history of hiring sexual predators who have
3 assaulted LYFT passengers, and notwithstanding the obvious and open subculture of LYFT drivers who
4 harbor a sexual motivation for driving female passengers, LYFT does nothing to warn its female or male
5 passengers about this very serious and real danger.

6 **LYFT'S FINANCIAL MODEL**

7
8 26. The key to LYFT's business model is getting as many new LYFT drivers on the road as
9 possible. The more LYFT drivers and LYFT rides equals more money LYFT makes. Unfortunately, more
10 careful screening and supervision would result in fewer drivers and lower profits.

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

18 **LYFT'S CONTROL OVER ITS DRIVERS**

19
20 28. LYFT exercises significant control over its drivers. LYFT executives set all of the fare
21 rates. Drivers have no input on the fares charged and no ability to negotiate fares with customers. Fees
22 are standardized based on mileage and or ride time, similar to taxis.

23 29. LYFT collects a percentage fee for every ride. LYFT does not charge drivers a fee
24 to become a LYFT driver and LYFT does not charge drivers to use the LYFT App.

25 30. LYFT drivers are prohibited from answering passenger inquiries about booking
26 rides outside of the LYFT App.

1 31. LYFT has the power to terminate drivers with or without cause.

2 32. LYFT drivers are expected to accept all ride requests while they are logged into the
3 App. Drivers who reject or cancel too many ride requests risk facing discipline, including suspension or
4 termination.

5 33. LYFT provides its drivers with and requires them to use and display LYFT branding
6 materials in order to make their drivers easily identifiable as LYFT drivers.

7 34. LYFT also allows for passengers to provide comments to LYFT regarding their
8 experience with the LYFT driver. These comments are not shared with other passengers. Passengers are not
9 provided with any information regarding their driver other than a photograph, and other basic information
10 about the car. Passengers are not informed about prior complaints concerning particular drivers.

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

14 **NO MONITORING OF RIDES**

15 36. Given LYFT's knowledge of the sexual assaults of its customers by LYFT drivers, the
16 company should have implemented a monitoring system in order to protect its passengers. LYFT
17 understands that many assaults occur when drivers deviate from their route and turn off the ride and App
18 before the passenger destination is reached. LYFT also knows that assaults are much less likely to occur if
19 drivers understand they are being recorded or watched. As a transportation and technology company with
20 access to a state-of-the-art in-app tracking system, as well as a camera within the required mobile device,
21 LYFT could take the following simple steps towards the elimination of the sexual assaults and protecting
22 their passengers:
23
24

- 25 • Adopt a zero-tolerance policy for improper conduct and inform all drivers of
26 the policy;

- 1 • Implement a surveillance camera within the App that can audio and video record
2 all rides and have footage saved and accessible for up to 72 hours after each ride.
3 Implement rules requiring drivers to have this system on at all times
4 while in their vehicles.
- 5 • Inform all drivers that if they turn off the surveillance system during a LYFT ride,
6 they will never drive for LYFT again;
- 7 • Inform drivers that they may not leave the car and accompany a passenger to their
8 home or to any other location outside the vehicle, other than to provide temporary
9 and time-limited assistance to a passenger;
- 10 • Modify the functionality of the app so that LYFT can determine immediately
11 if a driver deviates from these protocols;
- 12 • When a driver goes off course or ends a ride before the destination, a warning
13 alert is sent to the driver that their location has been mapped and that they
14 should report the reason for the deviation;
- 15 • When a driver goes off course or ends a ride before the destination, a message
16 should be sent to the passenger checking in on them.

17
18 37. The ongoing sexual assaults by LYFT drivers are and have long been known to LYFT and
19 LYFT's officers, directors and/or managing agents. Prior to the assaults on the JANE SL102 alleged
20 herein, LYFT has known that a consequence of its business model has been exposing women, who are
21 using the business for a safe ride home, to drivers that may take advantage of their vulnerable position.
22 Despite being a company that holds itself out to the public as being engaged in the safe transportation of
23 its customers from place to place for compensation, LYFT, at the direction of LYFT's officers, directors
24 and/or managing agents, has failed to take any reasonable precautions to attempt to prevent harm to its
25 passengers.

26
27 38. At the time of the actions alleged in this complaint LYFT, and LYFT's officers, directors

1 and/or managing agents, was aware of the established occurrence of sexual assault of its passengers by its
2 drivers but failed to take any reasonable action to protect its passengers from these assaults and violations.

3 **MISREPRESENTATIONS AS TO SAFETY**

4 39. In addition to inadequate background check procedures, LYFT affirmatively induces
5 passengers, particularly young, unaccompanied, intoxicated, and/or vulnerable persons, to use its services
6 with the expectation of safety, while LYFT simultaneously knows that sexual abuse of its passengers has
7 been prevalent.

8
9 40. In February 2015, LYFT's website posted a blog post announcing it had partnered with It's
10 On Us, an anti-sexual assault initiative, and offered free ride credits for new LYFT passengers during the
11 Spring Break season, "making it easier to get a safe ride home even if you're in a new city." In November
12 2016, LYFT's website posted a blog post entitled "Get Home Safely with LYFT," again touting its
13 partnership with It's On Us and offering college students free LYFT rides so that they "don't need to worry
14 about finding a safe ride after going out." The insinuation of these articles is that LYFT prevents, and does
15 not create, the risk of sexual assault. Nowhere on LYFT's website does LYFT discuss the occurrence or
16 risk of sexual assault by LYFT's drivers. As a result, many people, like JANE SL102, enter LYFT cars
17 unaccompanied and often after drinking with the expectation that they will not be harassed, propositioned,
18 kidnapped, attacked, stalked, raped or worse by LYFT's drivers.

19
20 41. Further, LYFT does not report statistics about sexual harassment or sexual assault by its
21 drivers. LYFT does not disclose its policies or procedures on dealing with sexual assault by its drivers.
22 LYFT does not properly train its customer service representatives on how to deal with serious allegations
23 of driver misconduct. As a result, passengers who report sexual abuse by a driver have been later matched
24 with the same driver, and dangerous drivers continue to drive with LYFT and continue to assault
25 passengers while LYFT profits from their actions. At the time of the attacks on the JANE SL102 as alleged
26 herein, LYFT's guidelines for their drivers made no mention of sexual harassment or assault guidelines.

1 42. In short, LYFT fails to follow reasonable safety procedures and intentionally induces
2 customers to use LYFT's services while in a vulnerable state. As a result, JANE SL102, and individuals
3 like her are sexually harassed and sexually assaulted by LYFT's drivers. Additionally, LYFT does not
4 inform UBER or other transportation networking companies when they suspend/terminate a driver,
5 thereby allowing drivers to seamlessly shift from the LYFT App to the UBER App without any
6 repercussions.

7 LYFT'S BACKGROUND CHECKS

8
9 43. LYFT relies on a quick, name-based background check process to screen its applicant
10 drivers and has continuously refused to adopt an industry-standard, fingerprint-based background check
11 qualification process.

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

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

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

23
24 47. For example, most prospective taxi drivers are required by the taxicab companies to
25 undergo criminal background checks that require the driver to submit fingerprints through a technology
26 called "Live Scan." The fingerprint images are used to automatically search against all other fingerprint
27

1 images in government criminal record databases, including databases maintained by state law enforcement
2 and the Federal Bureau of Investigation (FBI). The FBI's database includes criminal record information
3 from all 50 states, including sex offender registries. If a person has a criminal history anywhere in the
4 U.S., it will register as a match.

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

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

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

18 51. Name-based background checks present systematic, fundamental problems. First, there is
19 no way to positively identify a person via a biometric indicator, increasing the likelihood of fraud.
20 Likewise, because names, addresses and birthdays are not unique, the likelihood of false positives (a
21 person linked in error with another's record) and false negatives (someone getting cleared when they
22 should not) are greatly increased. For example, if an individual changes names, or for some other reason
23 has a criminal history under a different name, the name-based checks can miss the individual's criminal
24 history.

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

4 53. Despite advertising to passengers that “Your safety is important” and “Safety is our top
5 priority,” LYFT’s background check process is designed for speed, not safety. In refusing to adopt
6 reasonable safety procedures, LYFT makes clear that its priority is profit, not passenger safety.

7
8 54. By failing to take reasonable steps to confront the problem of multiple rapes and sexual
9 assaults of its passengers by its drivers, LYFT and LYFT’s officers, directors and/or managing agents,
10 have acted in conscious disregard of the safety of its passengers, including JANE SL102, and has breached
11 its duty of reasonable care and has breached the implied and express covenants arising from its contract
12 with its passengers.

13 **MANDATORY REPORTING OF SEXUAL ASSAULT**

14 55. The benefits, reasoning and rationale for mandatory reporting of sexual assault is
15 undisputed and well documented. One of the most obvious reasons for the policy of mandatory reporting
16 of sexual assault is stopping sexual assault and preventing future sexual assault and the lives that can be
17 destroyed by sexual assault. A policy of mandatory reporting helps stop the predators that commit sexual
18 assault. Despite the knowledge that adopting a policy of mandatory reporting will help prevent future
19 assaults and increase passenger safety, LYFT, at the direction of LYFT’s officers, directors and/or
20 managing agents, has adopted a policy that is the opposite of mandatory reporting. LYFT does not report
21 allegations of rape and brutal sexual assault to the police. Instead, LYFT makes every effort to hide and
22 conceal these sexual assault reports from law enforcement, the public, media and our courts.

23
24 56. LYFT understands that their drivers often drive for Uber Technologies, Inc. and other
25 ridesharing companies. LYFT also understands that sexual predators are likely to continue committing
26 sexual assault. Despite the knowledge of the benefits of reporting sexual assailants, LYFT does not report
27

1 sexual assaults and rapes to law enforcement and does not share information regarding sexual assaults and
2 rapes with other ridesharing companies despite the knowledge that these drivers are employed by other
3 ridesharing companies. LYFT, at the direction of LYFT's officers, directors and/or managing agents, has
4 adopted a policy which knowingly chooses to hide and conceal the identities of the drivers that rape and
5 sexually assault LYFT passengers.

6 57. Any ridesharing company such as LYFT that is concerned about public safety and has more
7 sexual assaults than almost any other company in US history would adopt a zero-tolerance policy and
8 have mandatory reporting of sexual assaults to law enforcement and other ride sharing companies. Instead,
9 LYFT' officers, directors and/or managing agents have chosen to sacrifice the lives of sexual assault
10 victims in the hope of deriving additional profits.
11

12 **STONEWALLING LAW ENFORCEMENT**

13 58. LYFT's attempts to conceal the problem of the sexual assault crisis is not limited to the
14 public and media. This effort to conceal from the public extends to LYFT's lack of cooperation with law
15 enforcement detectives that investigate these cases. LYFT has no policy to report crimes of rape and other
16 sexual assaults to law enforcement after those crimes are reported to them. Additionally, LYFT has failed
17 to provide records and documentation regarding sexual predators that have committed multiple assaults
18 that are critical for law enforcement investigations. The net effect of LYFT's attempts to protect and
19 conceal the reports of sexual predators from law enforcement is that dangerous sexual predators continue
20 to rape, sexually assault and ruin lives.
21

22 59. A responsible and reasonable company that is concerned about public safety cooperates
23 with law enforcement and shares the public's interest in stopping sexual predators. LYFT, at the direction
24 of LYFT's officers, directors and/or managing agents, has chosen another path. LYFT delays and restricts
25 their correspondence with police until a court order/search warrant is authorized. In many cases, LYFT
26 requires a subpoena or formal legal order to provide information police may need for an investigation.
27

1 Many of the assault victims in this complaint have been told by the detectives handling their case that
2 LYFT's Trust and Safety team are often unresponsive to the detective's requests.

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

6 61. After a victim has reported a rape or sexual assault, LYFT often disables the victim's
7 account. This restriction prohibits the victim from accessing key information about their perpetrator
8 including the name, photo, make and model of car, etc. which is needed for law enforcement investigation.
9 This furthers hampers law enforcement investigation.

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

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

17 64. The LYFT ride-hailing platform is a haven for sexual predators preying on vulnerable
18 women.
19

20
21 **LYFT POLICY TO SILENCE VICTIMS**

22 65. Many people that are sexually assaulted do not report the incident because of the stigma
23 attached to sexual assault. Only a minority of courageous people that are sexually assaulted come forward
24 to report the assault. It is well known that sexual assault victims suffer tremendous mental and
25 psychological trauma as a result of being victimized by sexual assault. For this reason, any responsible
26 organization, corporation or entity that takes calls from sexual assault victims should have trauma
27

1 informed and trained persons in sexual trauma to handle those calls.

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

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

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

16 69. LYFT often erases the victim's complaint from their App. LYFT employs all of the above
17 policies to silence victims.

18 **LYFT RESPONDS INADEQUATELY TO RIDER REPORTS OF**
19 **SEXUAL ASSAULT**

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

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

27 72. Even if LYFT does respond to a woman who was reported a rape, sexual harassment, or
28

1 sexual assault, the response follows the same script focusing on vague rhetoric about safety being a top
2 priority. LYFT, more often than not, does not tell the victim what steps LYFT conducts in an investigation,
3 does not tell the victim if there have been other allegations against the same driver, and does not tell the
4 victim whether the driver has been removed from the platform.

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

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

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

15
16 **LYFT’S SAFETY MEASURES CONTINUE TO BE INADEQUATE TO PROTECT**
17 **AGAINST SEXUAL ASSAULT AND RAPE IN THEIR VEHICLES**

18 76. LYFT’s newly enacted safety measures continue to fall short of protecting passengers from
19 being sexually assaulted by their LYFT driver.

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

25 78. Despite LYFT’s “higher standard,” individuals, including JANE SL102 herein, continue
26 to be raped and sexually assaulted in LYFT vehicles by LYFT drivers.
27

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

3 80. 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 81. 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

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

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

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

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

23 85. Despite the obvious intent of the Subcommittee to increase the safety of rideshare for its
24 passengers and customers, LYFT refused to meet before the subcommittee. As a result, the
25 Subcommittee’s questions were left unanswered. LYFT refused to appear because passenger and customer
26 safety is not, and has never been, a priority or concern for LYFT.
27

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

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

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

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

THE ATTACK UPON JANE SL102

29 87. On or about September 26, 2023, JANE SL102 used the LYFT App owned, operated, and
 30 distributed by LYFT to secure a ride from her previous home located in Houston, Texas to a park in
 31 Cypress, Texas.

32 88. LYFT matched the request and dispatched a driver (true identity unknown but to be alleged
 33
 34

1 after discovery in this litigation), who picked up JANE SL102 and her three minor children for a 23-
2 minute ride.

3 89. During the course of the ride, the LYFT driver's personality and demeanor shifted, and he
4 became hostile and aggressive. He repeatedly stared at JANE SL102, made sexual gestures, and licked his
5 tongue at her in a suggestive manner.

6 90. JANE SL102 asked the driver to cease his inappropriate behavior, informing him that her
7 children were present and that his behavior made her uncomfortable and unsafe.

8 91. The driver became increasingly aggressive, began driving erratically, and created a
9 threatening environment inside the vehicle. While the vehicle was still in motion, the driver touched JANE
10 SL102's inner thigh, digitally penetrating her vagina.

11 92. The driver escalated the assault by placing his hand under JANE SL102's skirt, touching
12 her genital area, and digitally penetrating her. JANE SL102 repeatedly begged the driver to stop and
13 attempted to push him away while her children cried in the back seat. The driver ignored her pleas and
14 continued the assault.

15 93. JANE SL102 instructed her children to put their heads down in an effort to shield them
16 from witnessing their mother being sexually assaulted, but the driver continued his actions and refused to
17 stop. The driver eventually stopped the vehicle in an isolated area, not at the intended destination, and
18 ordered JANE SL102 to exit the vehicle.

19 94. Fearing for her safety and the safety of her children, JANE ordered her children to run
20 away from the vehicle. As JANE SL102 attempted to exit and retrieve her belongings, the driver exited
21 the vehicle, ordered her to bend over, and forcibly nitrated her vagina with his erect penis, partially inside
22 and immediately outside the vehicle while the passenger door was open.

23 95. During this assault, JANE SL102 observed a firearm inside the vehicle, which she
24 reasonably perceived as a threat and intimidation that prevented her from safely resisting or escaping.

1 96. After the assault, the driver threatened JANE SL102, threw her belongings out of the
2 vehicle, and fled the scene, leaving her and her children behind.

3 97. As a result of the sexual assault by LYFT's driver, in addition to mental and emotional
4 harm, JANE SL102 suffered physical harm due to the force used by the driver during the assault.

5 98. LYFT's actions were a substantial factor in the harm that JANE SL102 suffered. JANE
6 SL102 suffered general damages of pain and suffering, including but not limited to emotional distress,
7 panic, anguish, fright, nervousness, grief, anxiety, shock, humiliation, embarrassment, shame,
8 disappointment, depression and feelings of powerlessness.

9
10 **COUNT I – GENERAL NEGLIGENCE**

11 99. JANE SL102 herein re-alleges each and every allegation contained within paragraphs 1
12 through 98 of the Complaint, as though same were more fully set forth herein.

13 100. By providing transportation to the general public using its application and network
14 of drivers, LYFT owed a duty to act with due and reasonable care towards the public and in particular its
15 own passengers, including JANE SL102.

16 101. LYFT has been on notice that its drivers have been sexually harassing, sexually assaulting,
17 and raping its passengers since at least 2015. LYFT was aware or should have been aware that some LYFT
18 drivers would continue to sexually assault, stalk, harass, kidnap, physically assault, rape, and/or otherwise
19 attack their vulnerable LYFT patrons and passengers.

20 102. Since learning of the sexual assaults perpetrated by its drivers, LYFT never adapted
21 or improved its safety procedures in any meaningful way.

22 103. LYFT does not require video monitoring of its drivers that cannot be turned off, nor
23 does it provide emergency notification to law-enforcement authorities when a driver drastically veers off
24 course from the passenger's destination, abruptly cancels the ride, or ends the ride at the intended
25 destination but GPS data indicates the passenger remains in the car for a significant period of time.
26

1 104. At all times relevant, LYFT was well aware of the dangers its drivers posed to its riders,
2 yet it still induced, and continues to induce, the public, including JANE SL102, to rely on LYFT as a safe
3 means of transportation. In doing so, LYFT failed to warn passengers, including JANE SL102, of the
4 possibility of being assaulted, battered, harassed, and/or otherwise attacked by a LYFT driver.

5 105. At the time JANE SL102 was assaulted, LYFT did not require sexual harassment/assault
6 training for its drivers, nor did it have any policies in place for immediate termination if a driver engages
7 in sexual misconduct.

8 106. LYFT does not cooperate with the police when a driver commits an illegal sexual attack
9 on its passengers. Despite having the express right to disclose driver information at LYFT's sole
10 discretion, LYFT requires that extensive standards be met before the company will even consider law
11 enforcement requests for information. Even after a report of sexual assault has been made, LYFT generally
12 requires a subpoena before it will release information. LYFT's policy of noncooperation discourages
13 police agencies from making recommendations to local prosecutors to file complaints against LYFT
14 drivers and provides LYFT's predatory drivers with tacit assurance that their illegal attacks will not be
15 detected by law enforcement.

16 107. When hiring new drivers, LYFT does not verify driver identities with biometric
17 background checks. LYFT does not correct for false negatives created by its name-based screening
18 procedures. LYFT does not provide industry-standard background checks that would provide the most
19 comprehensive means of screening applicant drivers. LYFT does not invest in continuous monitoring of
20 its drivers and is not immediately alerted when one of its drivers is implicated in criminal acts.

21 108. LYFT does not have a consistent, reliable system for addressing passenger reports of sexual
22 assault by its drivers and continues to let dangerous predators drive for and earn money for LYFT.

23 109. For the above reasons and others, LYFT breached its duty of reasonable care to JANE
24 SL102.

1 110. As a legal and direct result of LYFT’s negligence, JANE SL102 was assaulted, battered,
2 harassed, and/or otherwise attacked by a LYFT driver, which humiliated, degraded, violated, and robbed
3 JANE SL102 of her dignity and personal safety. The assault on JANE SL102 caused her to suffer
4 psychological and physical harm from which she may never fully recover.

5 111. As the direct and proximate result of LYFT’s negligence, JANE SL102 was sexually
6 assaulted and suffered economic and non-economic damages including, but not limited to permanent and
7 substantial bodily injury, pain and suffering, mental anguish, and loss of capacity for the enjoyment of
8 life. The losses are permanent and continuing in nature and JANE SL102 will suffer these losses in the
9 future.

10 112. JANE SL102 will seek actual and punitive damages based on LYFT’s above-described
11 actions, which evidence wanton and reckless disregard for the safety of passengers such as JANE SL102.

12 **COUNT II – NEGLIGENCE BASED ON FAILURE TO WARN**

13 113. JANE SL102 herein re-alleges each and every allegation contained within paragraphs 1
14 through 98 of the Complaint, as though same were more fully set forth herein.

15 114. JANE SL102 herein claims that LYFT was negligent by not using reasonable care to
16 warn about facts that made the LYFT App likely to be dangerous.

17 115. LYFT designed and manufactured the LYFT App.

18 116. LYFT knew or reasonably should have known that the LYFT App was dangerous or
19 likely to be dangerous when used or misused in a reasonably foreseeable manner.

20 117. LYFT knew or reasonably should have known that users such as JANE SL102 would not
21 realize the danger.

22 118. LYFT failed to adequately warn JANE SL102 of the danger.

23 119. A reasonable manufacturer and reasonable distributor under the same or similar
24 circumstances would have warned of the danger.

1 120. Rather, LYFT represented to its passengers that riding with LYFT is safe, implying it is
2 free of risk from physical and/or sexual assault. As a legal and direct result of LYFT's failure to warn of
3 the risk of sexual assault, JANE SL102 was assaulted, battered, harassed, and/or otherwise attacked by a
4 LYFT driver, which humiliated, degraded, violated, and robbed JANE SL102 of her dignity and personal
5 safety. The assault on JANE SL102 caused her to suffer psychological and physical harm from which she
6 may never fully recover.

7
8 121. As the direct and proximate result of LYFT's failure to warn of the risk of sexual assault
9 posed to its riders, JANE SL102 suffered economic and non-economic damages including, but not limited
10 to permanent and substantial bodily injury, pain and suffering, mental anguish, and loss of capacity for
11 the enjoyment of life. The losses are permanent and continuing in nature and JANE SL102 will suffer
12 these losses in the future.

13 122. JANE SL102 will seek actual and punitive damages based on LYFT's above-described
14 actions, which evidence wanton and reckless disregard for the safety of passengers such as JANE SL102.

15 **COUNT III – NEGLIGENT MISREPRESENTATION**

16 123. JANE SL102 herein re-alleges each and every allegation contained within paragraphs 1
17 through 98 of the Complaint, as though same were more fully set forth herein.

18 124. Defendant LYFT represented to JANE SL102 that it was true that the LYFT App was safe
19 to use and would provide a safe experience.

20 125. Defendant LYFT's representation was false.

21 126. Defendant LYFT knew or should have known that the representation was false when it
22 made it, or at a minimum knew that it made the representation recklessly and without regard for its truth.

23 127. Defendant LYFT intended that JANE SL102 rely on the representation.

24 128. JANE SL102 reasonably relied on Defendant LYFT's representation.
25
26
27

1 129. As a legal and direct result of LYFT’s negligent representation, JANE SL102 was
2 assaulted, battered, harassed, and/or otherwise attacked by a LYFT driver, which humiliated, degraded,
3 violated, and robbed JANE SL102 of her dignity and personal safety. The assault on JANE SL102 caused
4 her to suffer psychological and physical harm from which she may never fully recover.

5 130. As the direct and proximate result of LYFT’s negligent representation, JANE SL102
6 suffered economic and non-economic damages including, but not limited to permanent and substantial
7 bodily injury, pain and suffering, mental anguish, and loss of capacity for the enjoyment of life. The losses
8 are permanent and continuing in nature and JANE SL102 will suffer these losses in the future.

9 131. JANE SL102 will seek actual and punitive damages based on LYFT’s above-described
10 actions, which evidence wanton and reckless disregard for the safety of passengers such as JANE SL102.

11 **COUNT IV – NEGLIGENT HIRING, SUPERVISION, AND RETENTION**

12 132. JANE SL102 herein re-alleges each and every allegation contained within paragraphs 1
13 through 98 of the Complaint, as though same were more fully set forth herein.

14 133. LYFT engaged and retained or otherwise employed the LYFT driver who assaulted,
15 harassed, and/or otherwise attacked JANE SL102 as described above.

16 134. LYFT did not interview, check the references of, provide training to, or advise the LYFT
17 driver of any anti-sexual assault policies when hiring him. LYFT had no reasonable basis for believing
18 LYFT drivers in general were fit to drive vulnerable women around, particularly at night, and failed to
19 use reasonable care in determining whether the driver in question was fit for the task. LYFT should have
20 known of the unfitness of the LYFT driver involved in the assault on JANE SL102 but failed to use
21 reasonable care to discover his unfitness and incompetence.

22 135. Despite failing to reasonably endeavor to investigate the incompetence of LYFT
23 drivers, including the one who harmed JANE SL102, for transporting vulnerable and/or intoxicated
24 women in a moving vehicle, LYFT hired said driver to do exactly that.

1 136. LYFT knew or should have known that assigning the task of transporting vulnerable
2 passengers to an inadequately screened driver created an unreasonable risk of harm to LYFT's
3 passengers, including JANE SL102, particularly when LYFT had been on notice of the string of
4 sexual assaults committed by LYFT's drivers.

5 137. LYFT failed to employ measures to adequately supervise its drivers.

6 138. LYFT failed to adequately record, investigate, and respond to passenger reports of
7 unsafe conduct such as sexual harassment and sexual assault by LYFT drivers.
8

9 139. LYFT was negligent in failing to terminate drivers it knew or reasonably should
10 have known were a threat to passengers, including but not limited to JANE SL102 and other vulnerable
11 female passengers traveling alone.

12 140. The LYFT driver who assaulted JANE SL102 was, and/or became, unfit to perform the
13 work for which he was hired as he improperly and illegally took advantage of JANE SL102 when
14 she attempted to use the service for a safe ride to her destinations, which caused her psychological
15 and/or physical harm.

16 141. Because of the LYFT driver's unfitness to perform the task of transporting JANE SL102,
17 JANE SL102 was raped, which humiliated, degraded, violated, and robbed JANE SL102 of her dignity
18 and personal safety.

19 142. LYFT's negligence in hiring, retaining, and or supervising LYFT drivers, including the
20 driver who harmed JANE SL102, caused JANE SL102 to be assaulted, battered, harassed, and/or
21 otherwise attacked by the LYFT driver, which humiliated, degraded, violated, and robbed JANE SL102
22 of her dignity and personal safety. The depraved attack on JANE SL102 caused JANE SL102 to suffer
23 physical and/or psychological harm from which she may never fully recover.
24

25 143. LYFT's negligence in hiring, retaining, and/or supervising each LYFT Driver caused
26 JANE SL102 to be sexually assaulted.
27

1 144. As the direct and proximate result of LYFT’s negligence in the hiring, retaining, and/or
2 supervision of its drivers, JANE SL102 was harassed, sexually assaulted, and suffered economic and non-
3 economic damages including, but not limited to permanent and substantial bodily injury, pain and
4 suffering, mental anguish, and loss of capacity for the enjoyment of life. The losses are permanent and
5 continuing in nature and JANE SL102 will suffer these losses in the future.

6 145. JANE SL102 will seek actual and punitive damages based on LYFT’s above-described
7 actions, which evidence wanton and reckless disregard for the safety of passengers such as JANE SL102.
8

9 **COUNT V – INTENTIONAL MISREPRESENTATION**

10 146. JANE SL102 herein re-alleges each and every allegation contained within paragraphs 1
11 through 98 of the Complaint, as though same were more fully set forth herein.

12 147. LYFT represented to JANE SL102 and the general public that safety was
13 LYFT’s top priority, and it was LYFT’s goal to make every ride safe, comfortable, and reliable. At the
14 same time, LYFT already knew that a number of its drivers had preyed on vulnerable female passengers
15 by sexually molesting, assaulting, harassing, and/or raping them.

16 148. LYFT made intentional misrepresentations of fact to all users of the LYFT App,
17 including JANE SL102, that were known by LYFT to be false including the false statements LYFT
18 made, stating it would provide JANE SL102 with a safe ride to her destination.

19 149. These representations regarding safety were made to LYFT customers, including
20 JANE SL102, through periodic emails LYFT sent to its customers, social-media advertisements, and
21 LYFT’s own website and app. JANE SL102 relied upon several advertisements and statements where
22 LYFT proclaimed it would provide a safe ride.
23

24 150. Prioritizing profits over passenger safety, LYFT made these intentional
25 misrepresentations of material fact to induce women, including JANE SL102, to use LYFT’s services.
26
27

1 151. LYFT made these representations to JANE SL102 and the general public despite
2 knowing it had chosen not to take the measures necessary to provide a safe ride to her intended
3 destination and, as a result, continued physical and/or sexual assault of its passengers by its drivers was
4 a foreseeable occurrence.

5 152. LYFT made these representations to induce women, like JANE SL102, to use LYFT's
6 services and to derive profit from women like JANE SL102.

7 153. In entering a LYFT vehicle, JANE SL102 reasonably relied on LYFT's representations
8 that it would get her safely to her destination.

9 154. In trusting and relying on LYFT's representations, JANE SL102 was placed in a uniquely
10 vulnerable position that was taken advantage of by the LYFT driver who raped JANE SL102.

11 155. As a direct and proximate result of LYFT's intentional misrepresentations, JANE SL102
12 was raped by the LYFT driver, which humiliated, degraded, violated, and robbed JANE SL102 of her
13 dignity and personal safety. The depraved attack on JANE SL102 caused JANE SL102 to suffer
14 physical and/or psychological harm from which she may never fully recover.

15 156. As the direct and proximate result of LYFT's intentional misrepresentations, JANE SL102
16 suffered economic and non-economic damages including, but not limited to permanent and substantial
17 bodily injury, pain and suffering, mental anguish, and loss of capacity for the enjoyment of life. The losses
18 are permanent and continuing in nature and JANE SL102 will suffer these losses in the future.

19 157. JANE SL102 will seek actual and punitive damages based on LYFT's above-described
20 actions, which evidence wanton and reckless disregard for the safety of passengers such as JANE
21 SL102.

22 **COUNT VI – COMMON CARRIER NEGLIGENCE**

23 158. JANE SL102 herein re-alleges each and every allegation contained within paragraphs 1
24 through 98 of the Complaint, as though same were more fully set forth herein.

1 159. At the time JANE SL102 was sexually assaulted, LYFT was a common carrier, as it
2 provided transportation, generally and indifferently, to the general public.

3 160. LYFT provides prearranged transportation services for compensation using an online
4 enabled application or platform to connect passengers with drivers. Consequently, LYFT is a
5 Transportation Network Company as defined by California Public Utilities Code Section 5431c.

6 161. LYFT provides transportation through a digital application made available to the general
7 public for the purpose of transporting its users, the passengers, from place to place for profit. LYFT has
8 widely offered its services to the general public and charges standard fees for its services through its
9 application. LYFT does not allow discrimination against passengers on the basis of race, color, national
10 origin, religion, gender, gender identity, physical or mental disability, medical condition, marital status,
11 age, or sexual orientation. Any member of the public can use LYFT's services for transportation.
12

13 162. As a common carrier, LYFT must carry its passengers, including JANE SL102, safely.

14 163. LYFT has a duty to employ the utmost degree of care and diligence that would be expected
15 of a very cautious company to avoid harm to passengers, including JANE SL102.

16 164. LYFT must use reasonable skill to provide everything necessary for safe transportation, in
17 view of the transportation used and the practical operation of the business.

18 165. Despite complaints to LYFT of sexual assaults committed by LYFT drivers and lawsuits
19 against LYFT for sexual assault, LYFT, at the direction of its managing agents, executives and officers,
20 has failed to implement safety precautions that would address the sexual assault problem.
21

22 166. LYFT does not provide a consistent and reliable way for passengers to report sexual abuse
23 and rape.

24 167. LYFT does not warn passengers, including JANE SL102, of the dangers of riding with
25 LYFT and fails to warn passengers, including JANE SL102, of past complaints regarding LYFT drivers.
26
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1 168. LYFT does not have an effective program in place to deal with the sexual predator crisis
2 posed by some of its drivers.

3 169. LYFT knows that its female passengers are in a uniquely vulnerable situation enclosed in
4 a moving vehicle and that a subset of its drivers are sexual predators.

5 170. LYFT, at the direction of its managing agents, executives and officers, has not exercised
6 reasonable care to protect its passengers, including JANE SL102, from harassment, assault, and rape by
7 LYFT's drivers.

8 171. LYFT, at the direction of its managing agents, executives and officers, has not exercised
9 the utmost degree of care in order to protect its passengers, including JANE SL102, from the danger posed
10 by sexual predators who drive for LYFT. If LYFT had used the highest degree of care, LYFT could have
11 prevented or dramatically reduced the likelihood of the sexual assaults of its passengers, including JANE
12 SL102.
13

14 172. LYFT failed to safely transport JANE SL102.

15 173. LYFT failed to use the utmost care and vigilance to protect JANE SL102 from its own
16 LYFT DRIVERS who sexually assaulted JANE SL102 in the course of transporting her to her destination.

17 174. LYFT, at the direction of its managing agents, executives and officers, failed to take
18 reasonable precautions to protect its vulnerable female passengers, including JANE SL102, from the
19 foreseeable and known risk of sexual harassment and sexual assault by its LYFT DRIVERS. If LYFT had
20 used the highest degree of care, LYFT could have prevented or reduced the likelihood of the sexual
21 assaults of its passengers, including of the JANE SL102.
22

23 175. As a legal and direct result of LYFT's negligence as a common carrier, JANE SL102 was
24 assaulted, battered, harassed, and/or otherwise attacked by a LYFT driver, which humiliated, degraded,
25 violated, and robbed JANE SL102 of her dignity and personal safety. The assault on JANE SL102 caused
26 her to suffer psychological and physical harm from which she may never fully recover.
27

1 176. As the direct and proximate result of LYFT’s negligence as a common carrier, JANE
2 SL102 suffered economic and non-economic damages including, but not limited to permanent and
3 substantial bodily injury, pain and suffering, mental anguish, and loss of capacity for the enjoyment of
4 life. The losses are permanent and continuing in nature and JANE SL102 will suffer these losses in the
5 future.

6 177. JANE SL102 will seek actual and punitive damages based on LYFT’s above-described
7 actions, which evidence wanton and reckless disregard for the safety of passengers such as JANE
8 SL102.
9

10 **COUNT VII – STRICT PRODUCT LIABILITY BASED ON DESIGN DEFECT**

11 178. JANE SL102 herein re-alleges each and every allegation contained within paragraphs 1
12 through 98 of the Complaint, as though same were more fully set forth herein.

13 179. LYFT manufactured and distributed the LYFT App.

14 180. The LYFT App did not perform as an ordinary consumer would have expected it to
15 perform when used or misused in an intended or reasonably foreseeable way, because the LYFT
16 App falsely led JANE SL102 to form a reasonable minimum safety expectation that was not met.

17 181. The LYFT App did not include safety features such as a GPS tracking system that
18 would alert LYFT to the early termination of a ride, substantial deviation from the intended route,
19 or a passenger continuing to travel in the LYFT vehicle after the driver ended the ride in the App.
20 It also did not include the automatic activation of the camera in drivers’ smart phones when a ride
21 is in progress. And it did not include automatic notification of law enforcement of suspicious
22 circumstances that suggest a rider may be in danger.
23

24 182. The LYFT App also failed to communicate with JANE SL102 a true expectation of the
25 lack of safety in using LYFT.

26 183. These flaws in the design of the LYFT App, were a substantial factor in causing
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1 harm to the JANE SL102, including being raped by the LYFT driver, which humiliated, degraded,
2 violated, and robbed JANE SL102 of her dignity and personal safety. The depraved attack on JANE
3 SL102 caused JANE SL102 to suffer physical and/or psychological harm from which she may never
4 fully recover.

5 184. As a legal and direct result of LYFT’s design defect, JANE SL102 was assaulted,
6 battered, harassed, and/or otherwise attacked by a LYFT driver, which humiliated, degraded, violated,
7 and robbed JANE SL102 of her dignity and personal safety. The assault on JANE SL102 caused her to
8 suffer psychological and physical harm from which she may never fully recover.
9

10 185. As the direct and proximate result of LYFT’s design defect, JANE SL102 suffered
11 economic and non-economic damages including, but not limited to permanent and substantial bodily
12 injury, pain and suffering, mental anguish, and loss of capacity for the enjoyment of life. The losses are
13 permanent and continuing in nature and JANE SL102 will suffer these losses in the future.

14 186. Lyft is strictly liable to JANE SL102 as the manufacturer of this defectively designed
15 product.

16 187. JANE SL102 will seek actual and punitive damages based on LYFT’s above-described
17 actions, which evidence wanton and reckless disregard for the safety of passengers such as JANE
18 SL102.

19
20 **COUNT VIII – STRICT PRODUCT LIABILITY BASED ON FAILURE TO WARN**

21 188. JANE SL102 herein re-alleges each and every allegation contained within paragraphs 1
22 through 98 of the Complaint, as though same were more fully set forth herein.

23 189. LYFT manufactured and distributed the LYFT App.

24 190. The LYFT App presented potential risks of introducing each driver to a potential victim
25 who, because of the nature of the ridesharing arrangement created and facilitated by the LYFT App,
26 could neither escape from the driver’s vehicle nor control the place where the driver would take the
27

1 potential victim, risks that were known or knowable at the time of manufacture and distribution of the
2 LYFT App.

3 191. The potential risks presented a substantial danger when the LYFT App was used or
4 misused in an intended or reasonably foreseeable way.

5 192. Ordinary consumers such as JANE SL102 would not have recognized the potential risks.

6 193. Defendant LYFT failed to adequately warn of the potential risks.

7 194. The lack of sufficient warnings was a substantial factor in causing the harm suffered by
8 JANE SL102.

9 195. As a legal and direct result of LYFT's failure to warn of LYFT's dangers, JANE SL102
10 was assaulted, battered, harassed, and/or otherwise attacked by a LYFT driver, which humiliated,
11 degraded, violated, and robbed JANE SL102 of her dignity and personal safety. The assault on JANE
12 SL102 caused her to suffer psychological and physical harm from which she may never fully recover.

13 196. As the direct and proximate result of LYFT's failure to warn of LYFT's dangers, JANE
14 SL102 suffered economic and non-economic damages including, but not limited to permanent and
15 substantial bodily injury, pain and suffering, mental anguish, and loss of capacity for the enjoyment of
16 life. The losses are permanent and continuing in nature and JANE SL102 will suffer these losses in the
17 future.
18

19 197. LYFT is strictly liable to JANE SL102 as the manufacturer of a product with inadequate
20 warnings.
21

22 198. JANE SL102 will seek actual and punitive damages based on LYFT's above-described
23 actions, which evidence wanton and reckless disregard for the safety of passengers such as JANE
24 SL102.
25
26
27

RELIEF SOUGHT

JANE SL102 seeks judgment against LYFT as follows:

- Entry of judgment on each of her claims against LYFT jointly and severally;
- Past and future economic and non-economic damages including physical pain, mental anguish, anxiety, medical expenses, lost earnings or earning capacity;
- Punitive damages;
- Pre- and post-judgment interest;
- The costs and expenses of litigation;
- Attorneys' fees;
- Equitable relief; and
- Such other relief as this Court may deem just and proper.

JURY DEMAND

JANE SL102 demands a trial by jury on all issues so triable.

Dated: March 23, 2026

Respectfully submitted,
By: /s/ Elana B. Goodman
Jonathan Gdanski (*pro hac vice anticipated*)
Jeffrey L. Haberman (*pro hac vice*)
Elana B. Goodman (*pro hac vice anticipated*)
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