

1 [Submitting counsel below]  
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6 UNITED STATES DISTRICT COURT  
7 NORTHERN DISTRICT OF CALIFORNIA  
8 SAN FRANCISCO DIVISION  
9

10 IN RE: LYFT, INC. PASSENGER  
11 SEXUAL ASSAULT LITIGATION

No. 3:26-md-03171-RFL

**PLAINTIFFS' CASE MANAGEMENT  
STATEMENT**

12 This Document Relates to:  
13 All Cases  
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1 Plaintiffs submit this consolidated case management statement pursuant to the Court’s  
2 Pretrial Order No. 1.

3 **I. INTRODUCTION**

4 As directed by the Court in its February 12, 2026 Pretrial Order No. 1 (“PTO 1”), counsel  
5 for Plaintiffs submit this statement which addresses: (1) the subjects listed in ¶ 9 of PTO 1; (2) the  
6 items addressed in Rule 16.1(b); and (3) Plaintiffs’ summary position statement indicating their  
7 preliminary understanding of the key facts involved in the litigation and the critical factual and  
8 legal issues.

9 **A. Plaintiffs’ lead counsel and leadership organizational structure.**

10 Counsel for plaintiffs have met and agreed that the following three attorneys should be  
11 appointed as Co-Lead Counsel (“Proposed Co-Lead Applicants”):

12 Rachel B. Abrams  
13 Peiffer Wolf Carr Kane Conway & Wise, LLP  
14 555 Montgomery Street, Suite 820  
San Francisco, CA 94111

15 Roopal P. Luhana  
16 Chaffin Luhana LLP  
17 600 Third Avenue, 12th Floor  
New York, NY 10016

18 Aimee Wagstaff  
19 Wagstaff Law Firm  
20 940 N. Lincoln Street  
Denver, CO 80203

21 The proposed Co-Lead Counsel Applicants have determined that a Plaintiffs’ Steering  
22 Committee will also be necessary in this case. This committee will be chaired and selected by the  
23 co-leads and include sub-committees for major litigation tasks that include ESI and discovery,  
24 law and motion/briefing, experts, trial, a leadership development subcommittee for young lawyers  
25 in mass torts, and, importantly, a sub-committee and/or liaison for coordinating with the Lyft  
26 JCCP leadership. Proposed Co-Lead Counsel will provide a list of the individuals they endorse to  
27 serve on the Plaintiffs’ Steering Committee before the initial Case Management Conference on  
28 March 25, 2026.

1           **B.     The responsibilities and authority of Co-Lead Counsel and Plaintiffs’**  
2 **Steering Committee.**

3           Plaintiffs proposed Co-Lead Counsel have authority and are responsible for coordinating  
4 the activities of the plaintiffs during pretrial proceedings and shall:

5           1. Determine (after such consultation with other members of the Plaintiffs’ Steering  
6 Committee (“PSC”) and other co-counsel as may be appropriate) the position of the plaintiffs on  
7 all matters arising during pretrial proceedings;

8           2. Coordinate the scheduling and conduct of discovery on behalf of the plaintiffs, as well as  
9 the preparation of protocols and schedules for discovery and the development of platforms to allow  
10 for equitable and efficient use of discovery secured through this MDL;

11           3. Suggest, in consultation with Defendants, the ordering, priority, and response to pending  
12 and anticipated motions;

13           4. Coordinate and oversee the PSC’s responsibilities; to schedule PSC meetings and keep  
14 minutes or transcripts of these meetings as appropriate; to appear at periodic Court-noticed status  
15 conferences and hearings and present to the Court and opposing parties the position of the plaintiffs  
16 on all matters arising during pretrial proceedings; to sign and file all pleadings that relate to all  
17 actions; and to bind the PSC in scheduling settlement discussions and discovery, setting agendas,  
18 entering into stipulations, and in other necessary interactions with any other relevant parties. Co-  
19 Lead Counsel may designate counsel in their discretion to perform these duties as appropriate and  
20 necessary to progress the litigation effectively and efficiently;

21           5. Delegate specific tasks to PSC Members or other counsel so as to ensure that pretrial  
22 preparation for the plaintiffs is conducted efficiently and effectively, including, at the appropriate  
23 juncture, selection of trial team(s);

24           6. Suggest, in consultation with Defendants, the appointment of special master(s) under  
25 Federal Rule of Civil Procedure 53;

26           7. Conduct settlement negotiations on behalf of the plaintiffs, but not enter binding  
27 agreements except to the extent expressly authorized;

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1 8. Retain the services of any attorney not part of the PSC to perform any common benefit  
2 work, provided the attorney so consents and is bound by the PSC's compensation structure;

3 9. Establish and maintain a depository for orders, pleadings, hearing transcripts, and all  
4 documents served upon plaintiffs' counsel, and make such papers available to plaintiffs' counsel  
5 upon reasonable request;

6 10. Maintain, in conjunction with their accountant, records of receipts and disbursements  
7 advanced by PSC members and received by the PSC and report in writing to the PSC concerning  
8 disbursements and receipts;

9 11. Designate counsel to schedule depositions, set agendas, and otherwise interact with  
10 defense counsel, various plaintiffs' counsel, and any other relevant parties;

11 12. Facilitate coordination with state court litigation; and

12 13. Perform such other duties as may be necessary for effective and efficient coordination  
13 of the plaintiffs' pretrial activities or authorized by further order of the Court.

14 It is intended and expected that—as to all matters common to the coordinated cases, and to  
15 the fullest extent consistent with the independent fiduciary obligations owed by any and all  
16 plaintiffs' counsel to their clients—pretrial proceedings shall be conducted by and through the PSC.  
17 The PSC is responsible for creating its own structure, including establishing subcommittees.

18 Changes to the PSC's organization may be necessary as the litigation progresses and new  
19 details emerge. All timekeepers carrying out work for the plaintiffs' common benefit, including  
20 PSC members, who may look to any common fund or agreement for reimbursement or  
21 compensation shall maintain detailed and contemporaneous time records. The Court will issue a  
22 subsequent order regarding the guidelines and rules for work done and expense incurred for the  
23 common benefit of all plaintiffs in this MDL. If circumstances warrant, the Court may add or  
24 replace members of the PSC upon request from the PSC or on its own motion.

25 Unless otherwise modified by the Court, all appointments will last for one year from the  
26 date the order is entered. Appointees may apply to be reappointed when their term expires by  
27 submitting an application on or before June 1 of each year, starting 2027. Such applications shall  
28 detail the nature and scope of the appointee's work on behalf of the PSC during the prior year.

1           **B. The proposed methods for Plaintiffs’ leadership to regularly communicate**  
2 **with and report to the court and non-leadership counsel.**

3           Plaintiffs’ Co-Lead Counsel will schedule periodic all-plaintiffs calls to keep non-  
4 leadership counsel updated on the status of the litigation. Plaintiffs’ leadership also recommends  
5 monthly status conferences with the court, which can be done via zoom, in order to keep the court  
6 informed of the status of the litigation.

7           **C. Any limits on activity by non-leadership counsel.**

8           Non-leadership counsel shall not participate in Common Benefit work unless expressly  
9 authorized by the Plaintiffs’ Co-Leads or a PSC Member.

10           **D. The status of all litigation pending in this MDL matter.**

11           As of this submission, there have been approximately 33 Related Actions transferred or  
12 conditionally transferred to this MDL. The Case Chart submitted by Defendant Lyft’s counsel  
13 provides a list of all member actions.

14           **E. Any previously entered scheduling or other orders that should be stayed or**  
15 **vacated.**

16           Any briefing schedules set by transferor courts for such cases provided in the Case Chart  
17 should be vacated and reset by this Court for coordinated briefing. Other orders from transferor  
18 courts, including protective orders and preservation orders, should remain effective unless and until  
19 this Court orders otherwise.

20           **F. Whether consolidated pleadings should be prepared and a schedule for such.**

21           Plaintiffs will file a master administrative long-form complaint on May 8, 2026, and that  
22 the parties file joint or competing proposals for a model short form complaint on May 22, 2026.  
23 Plaintiffs propose the Court enter an Order similar to the Uber MDL Pretrial Order No. 11 –  
24 Stipulated Order re: Adoption of Master and Short Form Complaints (Doc No. 349), attached hereto  
25 as Exhibit A.

26           **G. A process for handling requests to proceed under a pseudonym.**  
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1 Plaintiffs propose that the Court implement an Order mirroring the Uber MDL Order (Doc  
2 174 entered 12/28/2023, attached as Exhibit B) allowing Plaintiffs to file Complaints under a  
3 pseudonym without seeking leave of the Court.

#### 4 **H. Electronically Stored Information**

5 The proposed Co-Lead Counsel Applicants and PSC shall meet and confer with Defendants  
6 to discuss the ESI protocols that will be followed in this case. The parties shall also meet and confer  
7 regarding custodial sources and non-custodial sources of discovery and other ESI productions per  
8 the Northern District of California's Checklist for Rule 26(f) regarding ESI no later than April 15,  
9 2016. By May 6, 2026, the parties shall submit a joint proposed ESI Protocol. If the parties are  
10 unable to agree on the contents of such a protocol, then each side shall submit its own proposed  
11 order regarding production of ESI with a memorandum (not to exceed 10 pages) explaining why  
12 the Court should adopt that party's particular proposal. Nothing in this paragraph shall delay the  
13 initial productions called for under Paragraph K.

#### 14 **I. Protective Order**

15 The proposed Co-Lead Counsel Applicants and the PSC shall meet and confer with  
16 Defendants to discuss the Protective Order to be entered in this case no later than April 15. By May  
17 6, 2026, the parties shall submit a joint proposed Protective Order. If the parties are unable to agree  
18 on the contents of such a Protective Order, then each side shall submit its own proposed protective  
19 order with a memorandum (not to exceed 10 pages) explaining why the Court should adopt that  
20 party's particular proposal. Nothing in this paragraph shall delay the initial productions called for  
21 under Paragraph K.

#### 22 **J. A plan and schedule for exchange of information about the factual bases for** 23 **parties' claims and defenses.**

24 *Rule 26 Initial Disclosures.* Defendants shall serve Rule 26 initial disclosures by May 15,  
25 2026, **7 days** after the filing of a master administrative long-form complaint.

26 *Initial Productions—Government Documents.* Defendants shall promptly produce to  
27 Plaintiffs, prior to receipt of formal document requests from Plaintiffs, all documents Defendants  
28 produced to legislative, regulatory, or enforcement entities in connection with government

1 investigations or inquiries of Lyft with respect to sexual assault, including attempted assaults,  
2 (except those investigations or inquiries conducted pursuant to grand jury subpoena), including all  
3 those by the California Public Utilities Department, and any associated privilege logs. Defendants  
4 shall make rolling productions and privilege logs of these Government Documents upon entry of  
5 the Protective Order and shall endeavor to complete those productions, including privilege logs,  
6 by May 1, 2026.

7 *Initial Productions—Other Case Documents.* Defendants shall promptly produce to  
8 Plaintiffs, prior to receipt of formal document requests from Plaintiffs, all documents Defendants  
9 produced in any other Lyft sexual assault cases, including arbitrations, and the Lyft Passenger  
10 Sexual Assault JCCP (*In Re Lyft Rideshare Cases*, JCCP-5061), including any associated privilege  
11 logs. Defendants may redact HIPAA-protected information of plaintiffs in those actions.  
12 Defendants shall make rolling productions and endeavor to complete those productions, including  
13 privilege logs, by May 1, 2026.

14 *Other Discovery.* Co-Lead Counsel and the PSC shall meet and confer with Defendants  
15 about a pre-trial order regarding the timing of deposition discovery, a protocol for depositions, and  
16 expert discovery. The parties will submit a joint proposed pre-trial order or orders regarding  
17 depositions and expert discovery on or before May 8, 2026. If the parties are unable to agree on  
18 the contents of such order(s), then each shall submit its own proposal with a memorandum (not to  
19 exceed 10 pages) explaining why the Court should adopt that party's proposal.

20 By April 8, 2026, Plaintiffs' leadership will meet and confer with Defendants to discuss a  
21 process by which Lyft will work with Plaintiffs to authenticate ride receipts and/or ride information.

22 By May 15, 2026, Plaintiffs shall issue their first set of Requests for Production of  
23 Documents, Interrogatories, and Requests for Admission.

24 By June 3, 2026, Plaintiffs and Defendants shall meet and confer on the format, content,  
25 and process for producing Plaintiffs Fact Sheets and Defendants Fact Sheets.

26 **K. Steps taken to preserve relevant evidence, including electronically stored**  
27 **information.**

1 Plaintiffs' leadership proposes entry of a preservation order such as PTO 2 entered in the  
2 Uber MDL (Doc No. 65, entered 11/3/23, attached hereto as Exhibit C). As stated in their Case  
3 Plan, a Preservation Order is included in the list of organizing PTOs Plaintiffs' leadership plans to  
4 address with Lyft in Phase 1 of the litigation.

5  
6 **L. Whether any matters should be referred to a magistrate judge or master**  
7 **other than discovery, which the Court tentatively intends to refer to magistrate Judge Lisa**  
8 **Cisneros (who is handling discovery in the Uber Passenger Sexual Assault MDL).**

9 Plaintiffs support the Court's intention to refer discovery matters in this proceeding to  
10 Magistrate Judge Lisa Cisneros. Given Judge Cisneros' ongoing supervision of coordinated  
11 discovery in the Uber MDL, referral would promote efficiency and judicial economy. Plaintiffs  
12 further propose that Fouad Kurdi of Resolutions, LLC, be appointed as Settlement Special  
13 Master, and that he also serve as the Special Master for any disputes arising out of the interplay  
14 between the Lyft JCCP Proposed Common Benefit Order and the Common Benefit Order that  
15 will be issued in this MDL.

16  
17 **M. A proposed schedule for alternative dispute resolution, including whether to**  
18 **select a settlement master now.**

19 Plaintiffs agree that a Settlement Special Master should be appointed now, and pursuant to  
20 ¶ 16 of the Court's PTO 1, the Parties submitted their joint suggestion for Special Settlement  
21 Master on March 5, 2026. Proposed Co-Lead Counsel will meet with Mr. Kurdi within 30 days of  
22 his appointment to discuss alternative dispute resolution.

23  
24 **N. A plan for establishing a website accessible to counsel, parties, the public, and**  
25 **the press free of charge, which should include a list of dates and times of upcoming**  
26 **proceedings, along with significant court orders and other documents.**

1 Plaintiffs' leadership and Defendants will meet and confer to discuss the creation of and  
2 content to be included in such a website.

3 **O. A plan to sequence and handle the litigation efficiently, particularly in light of**  
4 **the number of individual state laws that will likely need to be applied.**

5 As detailed in the Case Plan accompanying the leadership applications of Plaintiffs'  
6 Proposed Co-Leads, Plaintiffs suggest a four-phase approach. In Phase 1, the Court and parties  
7 would organize the MDL by establishing Plaintiff's leadership structure, service by Lyft of  
8 common discovery, and negotiation and proposal of organizing PTOs. Phase 2 will focus on MDL  
9 data collection, discovery, depositions, bellwether pooling, motions practice and ADR. This phase  
10 will include creation of a Master Complaint and Short Form Complaints as well as Plaintiff and  
11 Defendant Fact Sheets. Bellwether trial work up will constitute Phase 3, and Phase 4 will consist  
12 of bellwether trials. With respect to addressing the number of individual state laws that will need  
13 to be applied, this can be addressed through the bellwether selection process, as described in the  
14 proposed Case Plan.

15 **P. A potential common benefit fund approach, recognizing that substantial**  
16 **resources have already been expended in the California state court coordinated proceeding,**  
17 **and whether any form of alternative dispute resolution would be productive relating to that**  
18 **issue.**

19 The Case Plan submitted by the proposed Co-Lead Counsel Applicants notes that a common  
20 benefit fund will need to be set up to finance litigation of this MDL and provide compensation for  
21 common benefit work done by Co-Leads and the lawyers they recommend for the Plaintiffs'  
22 Steering Committee, and the Court approves. Applicants are directly involved in the negotiation of  
23 a common benefit order in the Lyft JCCP and able to advise the Court on those proceedings. Of  
24 note, no common benefit order was entered at the outset of the Lyft JCCP or in the six years since.  
25 A motion for a common benefit order is currently pending before the JCCP court, which carves out  
26 cases that will be litigated in this MDL. Although some plaintiffs in the JCCP, including Applicants,  
27 oppose aspects of JCCP leadership's proposed common benefit order, that MDL case carve-out is  
28 not among the contested provisions. Applicants believe Mr. Kurdi, who is working on settlement

1 matters in the Lyft JCCP, could assist in mediating any common benefit disputes between the Lyft  
2 MDL and the Lyft JCCP.

3 **Q. How to manage the direct filing of new actions in the MDL proceedings.**

4 Plaintiffs propose the Court adopt an Order substantially similar to the Uber MDL Direct  
5 Filing Order (PTO 6, Doc 177, entered 1/2/2024), attached as Exhibit D. The Order allowing direct  
6 filing should also include information about alternative service of process.

7 **R. Whether related actions have been—or are expected to—be filed in other  
8 courts, and whether to adopt methods for coordinating with them.**

9 Defendant Lyft is in the best position to know whether related actions have been filed in  
10 other courts. Entering a Direct Filing Order should minimize the number of related cases filed in  
11 other federal courts. Any related federal action not directly filed in the MDL should be transferred  
12 using the JPML Tag Along procedures (Rule 7.1). As for related actions filed in State Courts  
13 outside of the JCCP, Defendant is in the best position to notify the parties in the MDL.

14 **S. Any likely pretrial motions.**

15 It is expected that Defendant Lyft will file motions to dismiss, motions to exclude plaintiffs'  
16 experts, and motions for summary judgment. Plaintiffs may similarly file motions to exclude Lyft's  
17 experts and motions for summary judgment.

18 **T. Priority Claims and Defenses Likely to Be Presented; Factual and Legal  
19 Threshold Issues Likely to Be Presented.**

20 As noted in Plaintiffs' Co-Lead Applicants' Case Plan, the factual issues in this MDL stem  
21 from Plaintiffs' allegations of Lyft's systemic problem of sexual assaults and misconduct  
22 (collectively "sexual violence") by its drivers against passengers during Lyft rides. Lyft has not  
23 only been aware of the sexual violence on its platform but has also failed to take necessary steps to  
24 prevent it, including failing to: (1) screen and conduct proper driver background checks; (2) train  
25 and supervise its drivers adequately; (3) respond to complaints and feedback and take proper action  
26 against drivers accused of such misconduct; (4) implement safety design changes to the Lyft app;  
27 (5) adopt standard safety measures, such as mandatory cameras that are known deterrents; and (6)  
28 inform the public of the known risk of sexual violence on the Lyft platform.

1 Plaintiffs anticipate that the common claims will include: (1) General negligence; (2)  
2 Negligent hiring, retention, and supervision; (3) Common carrier negligence; (4) Negligent failure  
3 to warn; (5) Vicarious liability/liability for the torts of Lyft’s drivers; (6) Vicarious liability for  
4 sexual assault; (7) Vicarious liability for sexual battery; (8) Vicarious liability for false  
5 imprisonment; (9) Intentional misrepresentation; (10) Negligent misrepresentation; (11) Negligent  
6 infliction of emotional distress; (12) Breach of contract; (13) Strict product liability; (14) Strict  
7 Product Liability – Failure to Warn; (15) Strict Product Liability – Design Defect; and (16) Fraud  
8 and Misrepresentation.

9 Plaintiffs anticipate Defendant Lyft will raise defenses relating to its independent contractor  
10 model, lack of vicarious liability for sexual assaults, opposing the application of the common carrier  
11 doctrine, and terms of use arguments.

12 Factual and legal threshold issues include: Lyft’s policies and procedures with respect to  
13 hiring, screening, monitoring, and disciplining its drivers; Lyft’s knowledge of sexual assault on its  
14 platform over time; Lyft’s marketing of its product as safe; and design features of the Lyft app,  
15 including any features aimed at preventing sexual assault.

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Dated: March 12, 2026

Respectfully submitted,

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*Co-Lead Counsel Applicants for  
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**FILER'S ATTESTATION**

I am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I attest that the signatories above concurred in this filing.

Dated: March 12, 2026

By: /s/Rachel Abrams  
Rachel Abrams