

ELECTRONICALLY FILED
4/4/2017 10:22 AM
2017-L-003367
CALENDAR: Z
PAGE 1 of 7
CIRCUIT COURT OF
COOK COUNTY, ILLINOIS
LAW DIVISION
CLERK DOROTHY BROWN

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

JENNIFER CAMACHO,)
)
Plaintiff,)
)
vs.) NO.
)
UBER TECHNOLOGIES, INC. and)
JULIE RAMER)
)
Defendants.)

COMPLAINT AT LAW

COUNT I – NEGLIGENCE – UBER TECHNOLOGIES, INC.

NOW COMES the Plaintiff, JENNIFER CAMACHO, by and through her attorneys, LEGALRIDESHARE, LLC, and complaining of the Defendant, UBER TECHNOLOGIES, INC., alleges as follows:

1. That on January 30, 2017, and for some time prior thereto, the Defendant, UBER TECHNOLOGIES, INC., operated a ridesharing service in the City of Chicago, County of Cook, and State of Illinois.

2. That at said time and place, the Defendant, UBER TECHNOLOGIES, INC., operated, promoted and advertised a carpooling option of its ridesharing service, commonly known as “UberPOOL.”

3. That the Defendant’s, UBER TECHNOLOGIES, INC., website describes UberPOOL as follows: “Share your uberX car and driver with other riders, and you’ll share the cost. So everyone gets a guaranteed fare that’s the cheapest Uber option.”

4. That at said time and place, the Defendant, UBER TECHNOLOGIES, INC., knew or should have known that its customers (passengers) would share rides with strangers and/or persons they had never met.

5. That at said time and place, the Defendant, UBER TECHNOLOGIES, INC., knew or should have known that its customers (passengers) would share rides with persons with whom they had never been associated.

6. That at said time and place, the Defendant, UBER TECHNOLOGIES, INC., knew or should have known that a customer may become physically violent with another customer in an UberPOOL vehicle.

7. That at said time and place, customers had no means of knowing, discovering, or appreciating the background, criminal history, and/or violent propensities of persons with whom they shared UberPOOL vehicles.

8. That at said time and place, the Defendant, UBER TECHNOLOGIES, INC., was in the best position to know, discover, and/or appreciate the background, criminal history, and/or violent propensities of persons using UberPOOL vehicles.

9. That the Defendant, UBER TECHNOLOGIES, INC., failed to have any policy or procedure in place to teach, train or instruct its drivers how to prevent, mitigate, and/or manage physical altercations between UberPOOL passengers.

10. That at said time and place, the Plaintiff, JENNIFER CAMACHO, was a passenger in of one of Defendant's, UBER TECHNOLOGIES, INC., UberPOOL vehicles.

11. That the Plaintiff, JENNIFER CAMACHO, entered an UberPOOL vehicle at or near 3342 North Halsted Street, in the City of Chicago, County of Cook, and State of Illinois.

12. That when the Plaintiff, JENNIFER CAMACHO, entered the back seat of the vehicle, she had no reason to know or appreciate that a co-passenger would become physically violent and attack her.

13. That when the Plaintiff, JENNIFER CAMACHO, entered the UberPOOL vehicle, a co-passenger unexpectedly stabbed her in the face with a knife.

14. That the Defendant, UBER TECHNOLOGIES, INC., was in the best position to know, discover, and/or appreciate the background, criminal history, and/or violent propensities of the co-passenger.

15. That the Defendant, UBER TECHNOLOGIES, INC., was in the best position to teach, train, or instruct its drivers how to prevent, mitigate, and/or manage physical altercations between UberPOOL passengers.

16. That at said time and place, the Defendant, UBER TECHNOLOGIES, INC., was under a duty to exercise ordinary care and caution so as to not cause or contribute to injuries to customers of UberPOOL vehicles, including the Plaintiff.

17. That at said time and place, the Defendant committed one or more of the following careless and negligent acts and/or omissions:

- (a) Carelessly and negligently failed to have any policy or procedure for protecting customers in UberPOOL vehicles;
- (b) Carelessly and negligently failed to warn Plaintiff of the potential dangers of riding in UberPOOL vehicles;
- (c) Carelessly and negligently failed to teach, train or instruct Uber drivers how to prevent physical altercations between UberPOOL passengers;
- (d) Carelessly and negligently failed to teach, train or instruct Uber drivers how to respond to physical altercations between UberPOOL passengers;
- (e) Carelessly and negligently failed to teach, train or instruct Uber drivers how to mitigate the damages of physical altercations between UberPOOL passengers;
- (f) Carelessly and negligently failed to protect Plaintiff from dangers it knew or reasonably should have known existed;
- (g) Was otherwise careless and negligent.

18. That at the aforesaid time and place and as a direct and proximate result of one or more of the aforementioned careless and negligent acts and/or omissions, the Plaintiff was stabbed by a co-passenger in the UberPOOL vehicle.

19. That as a further direct and proximate result of one or more of the aforementioned careless and negligent acts and/or omissions of the Defendant, the Plaintiff sustained severe and permanent injuries, both internally and externally, and was and will be hindered and prevented from attending to her usual duties and affairs and has lost and will in the future lose the value of that time, as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JENNIFER CAMACHO, demands judgment against the Defendant, UBER TECHNOLOGIES, INC., in a sum in excess of Fifty Thousand Dollars AND 00/100 (\$50,000.00).

COUNT II – BATTERY – JULIE RAMER

NOW COMES the Plaintiff, JENNIFER CAMACHO, by and through her attorneys, LEGALRIDESHARE, LLC, and complaining of the Defendant, JULIE RAMER, alleges as follows:

1. That on January 30, 2017, the Defendant, JULIE RAMER, was a passenger in the front seat of an UberPOOL vehicle, located at or near 3342 North Halsted Street, in the City of Chicago, County of Cook, and State of Illinois.

2. That on January 30, 2017, the Plaintiff, JENNIFER CAMACHO, was a passenger in the backseat of an UberPOOL vehicle, located at or near 3342 North Halsted Street, in the City of Chicago, County of Cook, and State of Illinois.

3. That at said time and place, the Plaintiff, JENNIFER CAMACHO, was peacefully conducting herself when, without provocation, the Defendant, JULIE RAMER, attacked the Plaintiff with a knife.

4. That at said time and place, the Defendant, JULIE RAMER, was under a duty to not intentionally cause physical harm to the Plaintiff by making unwanted, physical contact with the Plaintiff's body.

5. That at all times relevant hereto, there was in full force and effect in the State of Illinois, a certain statute that stated: (a) A person commits battery if he or she knowingly without legal justification by any means (1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual.

6. That the Defendant, JULIE RAMER, despite her duty and the above statute, committed the following acts:

- (a) Intentionally harmed the Plaintiff;
- (b) Made bodily contact with the Plaintiff without valid legal justification;
- (c) Struck the Plaintiff with a knife.

7. That at the aforesaid time and place and as a direct and proximate result of one or more of the aforementioned intentional acts, the Defendant stabbed the Plaintiff with a knife.

8. That as a further direct and proximate result of one or more of the aforementioned intentional acts of the Defendant, the Plaintiff sustained severe and permanent injuries, both internally and externally, and was and will be hindered and prevented from attending to her usual duties and affairs and has lost and will in the future lose the value of that time, as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended

and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JENNIFER CAMACHO, demands judgment against the Defendant, JULIE RAMER, in a sum in excess of Fifty Thousand Dollars AND 00/100 (\$50,000.00).

COUNT III – ASSAULT – JULIE RAMER

NOW COMES the Plaintiff, JENNIFER CAMACHO, by and through her attorneys, LEGALRIDESHARE, LLC, and complaining of the Defendant, JULIE RAMER, alleges as follows:

1. That on January 30, 2017, the Defendant, JULIE RAMER, was a passenger in the front seat of an UberPOOL vehicle, located at or near 3342 North Halsted Street, in the City of Chicago, County of Cook, and State of Illinois.

2. That on January 30, 2017, the Plaintiff, JENNIFER CAMACHO, was a passenger in the backseat of an UberPOOL vehicle, located at or near 3342 North Halsted Street, in the City of Chicago, County of Cook, and State of Illinois.

3. That at said time and place, the Plaintiff, JENNIFER CAMACHO, was peacefully conducting herself when, without provocation, the Defendant, JULIE RAMER, attacked the Plaintiff with a knife.

4. That at said time and place, the Defendant, JULIE RAMER, was under a duty to not intentionally harm or frighten another person or make actions or gestures that create fear in another person.

5. That at all times relevant hereto, there was in full force and effect in the State of Illinois, a certain statute that stated: A person commits an assault when, without lawful authority, he or she knowingly engages in conduct which places another in reasonable apprehension of receiving a battery.

6. That the Defendant, JULIE RAMER, despite her duty and the above statute, committed the following acts:

ELECTRONICALLY FILED
4/4/2017 10:22 AM
2017-L-003367
PAGE 6 of 7

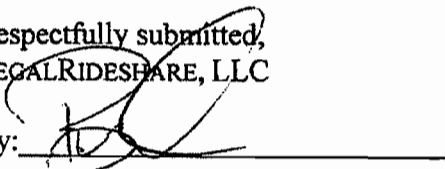
- (a) Intentionally harmed and frightened the Plaintiff;
- (b) Knowingly engaged in conduct which places the Plaintiff in reasonable apprehension of receiving a battery;
- (c) Lunged at the Plaintiff with a knife.

7. That at the aforesaid time and place and as a direct and proximate result of one or more of the aforementioned intentional acts, the Defendant stabbed the Plaintiff with a knife.

8. That as a further direct and proximate result of one or more of the aforementioned intentional acts of the Defendant, the Plaintiff sustained severe and permanent injuries, both internally and externally, and was and will be hindered and prevented from attending to her usual duties and affairs and has lost and will in the future lose the value of that time, as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JENNIFER CAMACHO, demands judgment against the Defendant, JULIE RAMER, in a sum in excess of Fifty Thousand Dollars AND 00/100 (\$50,000.00).

Respectfully submitted,
LEGALRIDESHARE, LLC

By: 

Bryant M. Greening
LEGALRIDESHARE, LLC
Attorneys for the Plaintiff
350 N. LaSalle St., Ste. 750
Chicago, IL 60654
T: (312) 767-7950
F: (312) 670-9115
LegalRideshare.com

ELECTRONICALLY FILED
4/4/2017 10:22 AM
2017-L-003367
PAGE 7 of 7