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UBER'S RICO LAWSUIT COULD CHANGE PERSONAL INJURY LITIGATION FOREVER

by HANI A. HABBAS

Uber Technologies, Inc. has filed a lawsuit that could fundamentally alter how personal injury claims against rideshare companies are litigated. In a sixty-one-page complaint filed in the United States District Court for the Eastern District of New York, Uber accuses multiple law firms and medical professionals of orchestrating an elaborate fraud scheme to inflate damages in lawsuits against the company. The allegations include falsified accident reports, exaggerated medical claims, unnecessary surgeries, and even bribery of medical professionals. Uber asserts that this conduct violates the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. § 1961 et seq., along with federal wire fraud and mail fraud statutes.

At its core, Uber's lawsuit is not just an effort to combat a handful of fraudulent claims—it is a direct attack on what the company alleges to be a systemic pattern of abuse within personal injury litigation. If successful, this case could serve as a blueprint for corporate defendants looking to challenge injury claims not just in New York, but in California and beyond. Attorneys who regularly handle litigation against Uber may need to reassess their practices, particularly their relationships with medical providers, their reliance on expert testimony, and their approach to settlement negotiations.



Uber's complaint, filed in *Uber Techs., Inc. v. Wingate, Russotti, Shapiro, Moses & Halperin, LLP*, Case No. 1:25-cv-00522 (E.D.N.Y. filed Jan. 30, 2025) [hereinafter *Compl.*], provides striking details about what it describes as a fraudulent legal enterprise targeting the ride-share company. Here are some of the allegations that attorneys might find to be shocking.

Uber asserts that plaintiffs' attorneys directed their clients to specific medical providers who, in turn, performed medically unnecessary surgeries solely to inflate settlement values. In one instance, Uber claims that a spinal surgeon performed an unnecessary cervical discectomy and fusion despite medical imaging showing no acute disc herniations or injuries that warranted such a procedure. *See Compl.* ¶ 53. Uber further alleges that the surgeries were pre-arranged between attorneys and doctors, with lawyers ensuring payment in exchange for medical reports that falsely linked the procedures to minor Uber-involved accidents. *See Compl.* ¶ 40.

In a particularly stunning claim, Uber provides video footage that directly contradicts a plaintiff's sworn statements about her injuries. According to the complaint, one plaintiff claimed severe pain and physical limitations after an Uber accident but was caught on dashboard camera footage calmly talking on her phone immediately after the alleged impact. *See Compl.* ¶ 30. Uber contends that this footage is directly at odds with her lawsuit's claims of lasting disability.

The company also alleges that plaintiffs were coached to exaggerate their injuries. One of the most damaging pieces of evidence cited in the complaint comes from an independent witness—a truck driver—who overheard a plaintiff openly discussing her intention to fabricate injuries for financial gain. According to an email from the witness, the plaintiff was heard saying she planned to “ride the insurance claim” and use a pre-existing medical condition to blame the accident, because “everyone in New York is dishonest.” *See Compl.* ¶ 32.

Uber also accuses attorneys of having plaintiffs sign blank accident reports, which were later filled out with false details to make minor incidents appear more severe. *See Compl.* ¶ 34. In one example, a plaintiff allegedly signed an empty New York MV-104 accident report, which was later completed to state that her Uber driver had rear-ended another vehicle—a claim Uber contends is demonstrably false based on video evidence. *See Compl.* ¶ 35.

Adding to the high-stakes nature of this case, Uber asserts that some plaintiffs who

underwent extensive medical treatment, including spinal surgery, later appeared on social media displaying no apparent injuries. In one instance, a plaintiff who claimed to be permanently disabled was seen celebrating his birthday at a nightclub, engaging in physical activities inconsistent with his claimed injuries. *See Compl.* ¶ 98.

The legal implications of Uber's case extend far beyond New York. If successful, this lawsuit could force California law firms to reevaluate their litigation practices, particularly in personal injury cases involving rideshare companies. Uber's complaint signals a major shift in corporate defense strategies, potentially leading to:

1. Stricter scrutiny of medical evidence and expert testimony. If Uber succeeds in discrediting medical reports, California courts may see an uptick in *Daubert* or *Sargon* challenges targeting expert witnesses who have close financial ties to plaintiffs' attorneys. This could force firms to disclose referral arrangements with medical professionals more transparently and ensure that medical reports are independently verifiable. *See Compl.* ¶ 40.
2. Closer examination of attorney-doctor relationships. Uber explicitly alleges that attorneys engaged in bribery by paying doctors for favorable medical reports and testimony, citing violations of New York Penal Law §§ 215.00 and 215.05. *See Compl.* ¶ 41. In California, a similar claim could invoke Cal. Penal Code § 137(a) (offering false evidence) and Cal. Bus. & Prof. Code § 6152 (unlawful solicitation), exposing law firms to civil liability and potential disciplinary action.
3. More aggressive discovery tactics by corporate defendants. Uber's use of surveillance footage, social media monitoring, and third-party witness testimony suggests that defense teams may push for broader discovery access in California courts. Plaintiffs' attorneys should anticipate subpoenas for client social media accounts, requests for medical histories extending beyond the accident, and even private investigative efforts to verify claimed injuries. *See Compl.* ¶¶ 98–100.
4. An expansion of RICO counterclaims in civil litigation. While

RICO is rarely applied in personal injury disputes, Uber's lawsuit could encourage other corporations to pursue RICO-based counterclaims against law firms and medical providers. If courts accept Uber's argument that certain legal and medical practices amount to organized fraud, personal injury attorneys in California may face increased litigation risks, potentially shifting settlement dynamics in Uber-related cases. *See Compl.* ¶¶ 45–50.

5. A chilling effect on settlement negotiations. Historically, Uber has settled a substantial number of injury claims to avoid prolonged litigation. However, this lawsuit signals a strategic shift toward contesting claims more aggressively. If Uber is successful, attorneys may find that early settlement offers disappear, requiring firms to commit to longer, costlier litigation battles to secure compensation for their clients. *See Compl.* ¶ 69.

Uber's lawsuit represents a watershed moment in personal injury litigation, signaling a shift toward greater scrutiny of plaintiffs' claims and litigation practices. The level of investigation behind Uber's allegations is unprecedented, and if the company prevails, the ripple effects on plaintiff-side litigation strategy could be profound.

For California attorneys representing clients against Uber, this case serves as a wake-up call. Expect more aggressive discovery, increased challenges to medical evidence, and a potential rise in RICO counterclaims. While not all injury claims against Uber are fraudulent, this lawsuit suggests that rideshare companies are no longer content to settle without a fight—ushering in a new era of litigation warfare. 📩

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