

Delhi woman who said she was raped by Uber driver to sue in US

Unidentified woman to be represented by Douglas Wigdor, who acted for Nafissatou Diallo in Dominique Strauss-Kahn case



Uber driver Shiv Kumar Yadav, centre, on his way to court in India in December. Photograph: Saurabh Das/AP

The woman who said she was raped by an Uber taxi driver in [Delhi](#) plans to sue the smartphone taxi service for negligence in the US courts.

The unidentified woman has instructed Douglas Wigdor, one of New York's most high-profile litigators, to represent her.

Wigdor said he was examining the possibility of asking a US court to exercise jurisdiction in the case because Uber's conduct was based on company policy made in the US. He said there was a substantial body of case law to suggest the court would consider doing so.

Wigdor said: “I can confirm that I have been retained by the young lady who was raped by an Uber driver in Delhi, [India](#), last December. Having met extensively with her and her family while in Delhi, I can only compliment them for their bravery and fortitude during this very difficult time. We will use all of our resources to vindicate my client’s rights, hold those responsible for their actions and ensure that this doesn’t happen again.”

The authorities in Delhi banned Uber from operating in the Indian capital after one of its drivers, [Shiv Kumar Yadav, was arrested in December](#) over the alleged rape. Officials in Delhi accused the company of misleading customers and not having proper licences for the service it offered.

Delhi police accused [Uber](#) of failing to check whether the driver had a clean police record. The case caused uproar in India where a series of incidents have highlighted the country’s growing problem of sexual violence towards women.

The decision by the alleged victim to seek compensation in the US is the latest setback for the silicon valley company, which was recently valued at \$40bn (£26bn). China last week banned drivers of private cars from offering services through ride-hailing apps and the company faces legal challenges in South Korea, California and elsewhere for using drivers who do not have taxi licences. Two of its drivers have been charged with sexually assaulting customers in Chicago in the past three weeks.

Travis Kalanick, Uber’s chief executive and founder, said last month his company would do everything necessary to bring the perpetrator of the Delhi assault to justice. Uber introduced new background checks in Delhi and said it would pay experts to come up with the best screening method for all of India.

Wigdor represented Nafissatou Diallo, the hotel maid who settled for a rumoured \$6m with Dominique Strauss-Kahn in 2012 over an alleged assault. Wigdor’s past cases also include suing the investment bank Dresdner Kleinwort Wasserstein for \$1.4bn on behalf of a group of women claiming sexual discrimination. That case was also settled.

The US courts have a record of hearing cases against US companies if the plaintiff is not from the US and the incident occurred in another country. A New York court accepted a case against Pfizer that accused the US drugs company of conducting trials of meningitis drugs on children in Nigeria without consent. The dispute was settled after 15 years in 2011.