

Uber Rape Survivor Sues The Company For Circulating Her Medical Records

[buzzfeed.com/pranavdixit/uber-rape-survivor-sues-the-company-for-circulating-her](https://www.buzzfeed.com/pranavdixit/uber-rape-survivor-sues-the-company-for-circulating-her)

By Pranav Dixit (BuzzFeed News Reporter) Ryan Mac (BuzzFeed News Reporter) Caroline O'Donovan (BuzzFeed News Reporter)



Reuters

The Indian woman who was raped by her Uber driver in New Delhi in 2014, and who sued and settled with the San Francisco-based ride-hailing company in 2015, is suing the company and its executives again.

The woman, who remains anonymous and relocated to Texas in 2016, filed a lawsuit against Uber, its CEO Travis Kalanick and now former executives Eric Alexander and Emil Michael, alleging that they invaded her privacy and defamed her by illegally obtaining and circulating her medical records within the company following the incident. She is pursuing her claim in a federal court in the Northern District of California.

The court filing alleges that just a few days after the victim was raped in December 2014, Eric Alexander, Uber's then head of business for Asia Pacific, met with Delhi police and obtained her confidential medical records. Lawyers in India that BuzzFeed News spoke to [had said](#) that there was no way Uber could have accessed the records legally.

The filing also alleges that Uber continues to retain a copy of the records despite reports that said the company destroyed them after discovering that Alexander had kept them with him for nearly a year after the incident.

"Rape denial is just another form of the toxic gender discrimination that is endemic at Uber and ingrained in its culture," the woman's New York-based lawyer Douglas Wigdor said in a statement. "It is shocking that Travis Kalanick could publicly say that Uber would do everything to support our client and her family in her recovery when he and other executives were reviewing illegally obtained medical records and engaging in offensive and spurious conspiracy theories about the brutal rape she so tragically suffered."

The woman previously sued Uber over her rape in 2015. Wigdor, told BuzzFeed News via email that he is unable to comment on "any purported settlement." It is unclear if there were any terms in that settlement, which was not made public, that would prevent the woman from pursuing litigation over the incident again.

"As a general proposition, however, a release cannot be forward looking so can only release a company for acts prior to the execution of a release," he wrote.

In a response to a request for comment from BuzzFeed News, an Uber spokesperson said: "No one should have to go through a horrific experience like this, and we're truly sorry that she's had to relive it over the last few weeks.

On Twitter, Susan Fowler — the engineer whose public allegations of sexual harassment and discrimination launched the internal investigation a Uber — lauded the lawsuit, citing the fact that Uber passengers have a right that Uber employees are forced to forfeit: the right to sue.

Here's a copy of the complaint:

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Attorneys for Plaintiff,
JANE DOE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANE DOE,

Plaintiff,

vs.

Case No.:

COMPLAINT

JURY TRIAL DEMANDED

UBER TECHNOLOGIES, INC., TRAVIS
KALANICK, *in his personal and professional
capacities*, ERIC ALEXANDER, *in his
personal and professional capacities* and EMIL
MICHAEL, *in his personal and professional
capacities*,

Defendants.

Plaintiff Jane Doe, by and through undersigned counsel Wigdor LLP as and for her
Complaint against Defendants Uber Technologies, Inc. ("Uber" or the "Company"), Travis
Kalanick, Eric Alexander and Emil Michael (together, "Defendants"), hereby alleges as follows:

PRELIMINARY STATEMENT

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1. Uber has taken start-up culture, in which “fierceness” and “always be hustling,” two key “Uber Competencies,” are prioritized above people to a new extreme, perpetuating rape culture and violating all bounds of decency as to customer privacy.

2. Plaintiff was violated physically when she was brutally raped in Delhi, India by her Uber driver in December 2014. Sadly, in the United States, Uber executives violated her a second time by unlawfully obtaining and sharing her medical records from that vicious sexual assault and have failed, as of the date of this filing, to apologize to her for this outrageous conduct.

3. Uber executives duplicitously and publicly decried the rape, expressing sympathy for Plaintiff, and shock and regret at the violent attack, while privately speculating, as outlandish as it is, that she had colluded with a rival company to harm Uber’s business.

4. In December 2014, Travis Kalanick (“Kalanick”), Uber’s Chief Executive Officer, went so far as to make the following public statement:

What happened over the weekend in New Delhi is horrific. Our entire team’s hearts go out to the victim of this despicable crime. We will do everything, I repeat, everything to help bring this perpetrator to justice and to support the victim and her family in her recovery.

We will work with the government to establish clear background checks currently absent in their commercial transportation licensing programs. We will also partner closely with the groups who are leading the way on women’s safety here in New Delhi and around the country and invest in technology advances to help make New Delhi a safer city for women.¹

¹ <https://newsroom.uber.com/india/statement-from-uber-ceo-travis-kalanick/>.