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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, SOUTHWEST DISTRICT

ANNIE LEE STEWART,

Plaintiff,

v.

UBER TECHNOLOGIES, INC., a
Corporation, ERIC MILTON PITT-BEY, an
Individual, and DOES 1 through 80, Inclusive,

Defendants.

Case No. 24TRCV03100
Assigned for All Purposes to:
Hon. Tamara Hall, Dept. 5

FIRST AMENDED COMPLAINT

1. GENERAL NEGLIGENCE

DEMAND FOR JURY TRIAL

COMES NOW the Plaintiff ANNIE LEE STEWART, an individual, for causes of action against Defendants UBER TECHNOLOGIES, INC., a corporation, ERIC MILTON PITT-BEY, an individual, and DOES 1 through 80, inclusive, and each of them (“Defendants”), who complains and alleges as follows:

FACTUAL ALLEGATIONS

1. Plaintiff ANNIE LEE STEWART (“Plaintiff”) is, and at all relevant times was, a resident of the County of Los Angeles, State of California.

2. Plaintiff is informed and believes, and thereon alleges, that Defendant UBER TECHNOLOGIES, INC. (“UBER”) is, and at all relevant times was, a Delaware corporation authorized to do business and doing business in the State of California.

3. Plaintiff is informed and believes, and thereon alleges, that Defendant ERIC MILTON PITT-BEY (“PITT-BEY”) is, and at all relevant times was, a resident of the State of California.

4. This action arises from a motor vehicle versus pedestrian collision that occurred on or about September 28, 2022, at or near the intersection of Manchester Boulevard and Eucalyptus Avenue in Inglewood, California. At the time of the incident, Defendant PITT-BEY was operating a vehicle while transporting a passenger through the UBER platform and struck Plaintiff, who was a pedestrian.

5. At the aforesaid time and location, Plaintiff was using a wheelchair to cross the street when Defendant PITT-BEY, operating a 2013 Toyota Prius bearing California License Plate No. 9BTJ227 (“Subject Vehicle”), failed to see and yield to Plaintiff, who was visibly present in the roadway. As a result, Defendant PITT-BEY struck Plaintiff with the Subject Vehicle (the “Subject Incident”). As a direct and proximate result of Defendants PITT-BEY’S negligence, Plaintiff sustained severe and catastrophic injuries, including trauma that ultimately required an above-the-knee amputation.

6. At the time of the Subject Incident, Defendant PITT-BEY was operating the Subject Vehicle while transporting a passenger through the UBER platform. Plaintiff is informed and believes, and thereon alleges, that at all relevant times, Defendant PITT-BEY was acting as an

1 employee, agent, or ostensible agent of Defendant UBER, and was acting within the course and
2 scope of such employment or agency.

3 7. While driving for Defendant UBER at the time of the Subject Incident, Defendant
4 PITT-BEY failed to operate the Subject Vehicle in a reasonable and safe manner, driving without
5 due care and without regard for pedestrians in the roadway. Plaintiff is informed and believes, and
6 thereon alleges, that Defendant UBER had prior notice of Defendant PITT-BEY's unsafe driving
7 habits. Plaintiff is informed and believes, and thereon alleges, in the six months preceding the
8 Subject Incident, multiple UBER customers lodged the following complaints regarding Defendant
9 PITT-BEY's dangerous driving, inattentiveness, and overall unfitness to drive for UBER:

- 10 a. On April 14, 2022, an UBER passenger reported that Defendant PITT-BEY pulled
11 the vehicle forward while the passenger was entering, appeared confused and
12 possibly experiencing cognitive issues, weaved between lanes without reason, and
13 drove in a distracted manner, causing the passenger to fear for their safety.
- 14 b. On July 4, 2022, another UBER passenger reported that Defendant PITT-BEY ran
15 two stop signs, held his phone in his hand throughout the ride while driving, and
16 dropped the passenger off at the wrong location, all of which caused the passenger
17 to feel unsafe.
- 18 c. On July 15, 2022, an UBER passenger reported that Defendant PITT-BEY nearly
19 ran a stop sign, missed a turn entirely, and had to reverse from an intersection in
20 order to enter the correct turn lane.
- 21 d. On August 24, 2022, an UBER passenger reported that Defendant PITT-BEY
22 drove recklessly by repeatedly switching lanes without cause, operated the vehicle
23 with hazard lights activated for the entire ride, and dropped the passenger off
24 approximately one mile from the intended destination at nearly 3:00 a.m., causing
25 the passenger to feel unsafe throughout the trip.
- 26 e. On September 2, 2022, approximately three weeks before the Subject Incident, an
27 UBER passenger reported that Defendant PITT-BEY recklessly operated the
28 vehicle with one hand while eating, at times removed both hands from the steering

1 wheel, and drove with the hazard lights activated for the entire trip.

2 8. Despite receiving the aforementioned complaints, Defendant UBER negligently
3 and unreasonably failed to suspend, investigate, or remove Defendant PITT-BEY from its
4 platform. Instead, Defendant UBER retained Defendant PITT-BEY as a UBER driver, ratifying
5 his conduct. Such negligent retention and ratification was a direct and proximate cause of the
6 Subject Incident.

7 9. The true names and/or capacities, whether individual, corporate, associate or
8 otherwise of the Defendants DOES 1 through 80, inclusive, and each of them, are unknown to
9 Plaintiff who therefore sues said Defendants by such fictitious names pursuant to Code of Civil
10 Procedure § 474. Plaintiff is informed and believes and thereon alleges that each of these
11 Defendants fictitiously named herein as a DOE is legally responsible, negligent or in some other
12 actionable manner liable for the events and happenings hereinafter referred to, and proximately
13 and legally caused the injuries to Plaintiff as hereinafter alleged. Plaintiff will seek leave of the
14 Court to amend this Complaint to insert the true names and/or capacities of such fictitiously-
15 named Defendants when the same has been ascertained.

16 10. Plaintiff is informed and believes and thereon alleges that at all times relevant
17 herein, each Defendant, whether specifically or fictitiously named, was the agent, employee, or
18 joint venturer of its co-Defendants and acted within the scope of that agency, employment, or
19 venture, and with the consent of their co-Defendants, and/or said acts were ratified by their co-
20 Defendants, and that each and every Defendant, when acting as a principal, was negligent in the
21 selection and hiring, training, retention, and supervision of each and every other Defendant.

22 11. Plaintiff is informed and believes, and based upon such information and belief
23 alleges that all of the acts, conduct, and nonfeasance herein carried out by each and every
24 representative, employee or agent of each and every corporate or business defendant, were
25 authorized, ordered, and directed by the respective defendant's corporate or business employers,
26 officers, directors and/or managing agents; that in addition thereto, said corporate or business
27 employers, officers, directors and/or managing agents had advance knowledge of, authorized, and
28 participated in the herein described acts, conduct and nonfeasance of their representatives,

1 employees, agents and each of them; and that in addition thereto, upon the completion of the
2 aforesaid acts, conduct and nonfeasance of the employees and agents, the aforesaid corporate and
3 business employers, officers, directors and/or managing agents respectively ratified, accepted the
4 benefits of, condoned and approved of each and all of said acts, conduct or nonfeasance of their
5 co-employees, employers, and agents. In addition, at all times herein relevant, each defendant,
6 whether named herein or designated as a DOE, was a principal, master, employer and joint
7 venturer or every other defendant, and every defendant was acting within the scope of said agency
8 authority, employment and joint venture.

9 12. Plaintiff ANNIE LEE STEWART now brings this lawsuit against Defendants,
10 DOES 1 through 80, inclusive, and each of them, for their negligence in causing Plaintiff severe
11 and catastrophic injuries.

12 **FIRST CAUSE OF ACTION**

13 **(General Negligence by Plaintiff Against All Defendants)**

14 13. Plaintiff re-alleges and incorporates herein by reference each and every allegation
15 and statement contained in the prior paragraphs.

16 14. At all relevant times, Defendant PITT-BEY owed Plaintiff a duty to operate the
17 Subject Vehicle with reasonable care, in accordance with California law and the basic duties of a
18 licensed driver. Defendant PITT-BEY breached that duty by operating the Subject Vehicle in a
19 careless and reckless manner, failing to yield to Plaintiff, a visible pedestrian in the roadway ahead
20 using a wheelchair in a crosswalk. As a direct and proximate result of Defendant PITT-BEY's
21 negligence, Plaintiff suffered severe and permanent injuries.

22 15. Plaintiff is informed and believes, and thereon alleges, that at the time of the
23 Subject Incident, Defendant PITT-BEY was acting within the course and scope of his
24 employment, agency, or ostensible agency with Defendant UBER. Accordingly, UBER is
25 vicariously liable for the acts and omissions of Defendant PITT-BEY.

26 16. Plaintiff is informed and believes, and thereon alleges that, at all relevant times
27 herein, Defendant UBER is a licensed transportation network company and, as such, owes
28 passengers and the general public, including pedestrians like Plaintiff, a heightened duty of care as

1 a common carrier pursuant to California Civil Code § 2100. UBER had a duty to use the utmost
2 care and diligence in hiring, training, and retaining its drivers, and in ensuring its drivers operated
3 their vehicles in a reasonably safe manner.

4 17. Plaintiff is informed and believes, and thereon alleges, that in the six months
5 leading up to the Subject Incident, UBER received multiple complaints from passengers reporting
6 Defendant PITT-BEY's reckless and unsafe driving, including: failure to obey traffic signs,
7 distracted driving, improper lane changes, operating the vehicle with hazard lights engaged for
8 entire trips, and erratic or confused driving behavior.

9 18. Despite this notice, UBER negligently failed to suspend, investigate, discipline, or
10 remove Defendant PITT-BEY from its platform. UBER's failure to act on these red flags and its
11 continued retention of Defendant PITT-BEY, despite repeated warnings, constituted a breach of its
12 duty of care to Plaintiff and to members of the public and a ratification of PITT-BEY's conduct.
13 UBER's negligent retention of Defendant PITT-BEY was a direct and proximate cause of the
14 Subject Incident and Plaintiff's resulting injuries. UBER's conduct fell below the standard of care
15 required of transportation network companies and common carriers.

16 19. At all times mentioned herein, the negligent acts and/or omissions of Defendants
17 PITT-BEY, UBER, and DOES 1 through 80, inclusive, and each of them, were substantial factors
18 and proximate causes of Plaintiff's injuries and damages.

19 20. As a direct and proximate result of the aforementioned conduct of Defendants
20 PITT-BEY, UBER, and DOES 1 through 80, inclusive, Plaintiff suffered catastrophic, life-altering
21 and permanent injuries to her health, strength, and activity. Plaintiff's injuries have caused, and
22 continue to cause, great physical, mental, and nervous pain and suffering. Plaintiff is further
23 informed and believes, and thereon alleges that the general damages to said injuries will result in
24 an amount which will be stated according to proof, pursuant to California *Code of Civil Procedure*
25 Section 425.10.

26 21. In addition, as a direct, legal, and proximate result the negligent conduct of
27 Defendants PITT-BEY, UBER, and DOES 1 through 80, inclusive, Plaintiff has sustained non-
28 economic damages, including, but not limited to, past and future physical pain and mental

1 suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief,
2 anxiety, humiliation, serious emotional distress, in an amount in excess of the jurisdictional
3 minimum, according to proof, pursuant to Section 425.10 of the California *Code of Civil*
4 *Procedure*.

5 22. Further, as a direct, legal and proximate result of the negligent conduct of
6 Defendants PITT-BEY, UBER, and DOES 1 through 80, inclusive, Plaintiff was compelled to,
7 and did, employ the services of hospitals, physicians, surgeons, nurses, and the like, to care for
8 and treat Plaintiff, the exact amount of such losses to be stated according to proof.

9 23. Plaintiff is informed and believes, and thereon alleges, that Defendant UBER
10 committed the following conduct that was oppressive, malicious, fraudulent, and/or in conscious
11 disregard for the health and safety of members of the public, including Plaintiff, within the
12 meaning of California Civil Code § 3294:

- 13 a. UBER received multiple safety complaints in the six months preceding the Subject
14 Incident warning of Defendant PITT-BEY's dangerous and erratic driving, yet took
15 no meaningful corrective action;
- 16 b. On April 14, 2022, an UBER passenger reported that Defendant PITT-BEY drove
17 in a distracted and confused state, weaved between lanes, and pulled forward while
18 the passenger was entering the vehicle;
- 19 c. On July 4, 2022, another passenger reported that Defendant PITT-BEY ran two
20 stop signs, held his phone throughout the ride while driving, and left the passenger
21 at the wrong location;
- 22 d. On July 15, 2022, a third passenger reported that Defendant PITT-BEY nearly ran a
23 stop sign, missed a turn, and reversed through an intersection to recover the route;
- 24 e. On August 24, 2022, a passenger reported that Defendant PITT-BEY switched
25 lanes without reason, drove with hazard lights activated for the entire trip, and
26 abandoned the passenger a mile from the destination at 3:00 a.m.;
- 27 f. On September 2, 2022, a passenger reported that Defendant PITT-BEY drove with
28 one hand while eating, intermittently removed both hands from the wheel, and

again drove with hazard lights engaged for the entire ride.

24. Plaintiff is informed and believes that these reports placed UBER on actual notice that Defendant PITT-BEY posed an imminent risk to the public. Despite this, UBER failed to suspend, investigate, or remove Defendant PITT-BEY from its platform, and instead continued to allow him to transport passengers and operate a vehicle under its brand. This pattern of deliberate inaction in the face of repeated safety warnings reflects a conscious disregard for the rights and safety of others and supports an award of punitive and exemplary damages against Defendant UBER pursuant to California Civil Code § 3294. Moreover, UBER's conduct constitutes a ratification of PITT-BEY malicious and reckless conduct under California Civil Code § 3294(b).

PRAYER FOR RELIEF

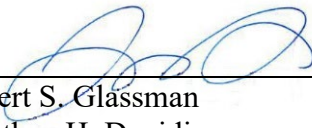
WHEREFORE, Plaintiff ANNIE LEE STEWART prays for judgment against Defendants PITT-BEY, UBER, and DOES 1 through 80, inclusive, and each of them, as follows:

1. For past and future non-economic damages suffered by Plaintiff, including but not limited to, past and future physical pain and mental suffering, loss of enjoyment of life, disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, serious emotional distress, in an amount in excess of the jurisdictional minimum, according to proof;
2. For past and future hospital, medical, professional and incidental expenses suffered by Plaintiff, according to proof;
3. For loss of personal property and income suffered by Plaintiff, according to proof;
4. For prejudgment interest and pre-trial interest, according to proof;
5. For cost of suit incurred herein, according to proof;
6. For damages for other losses, according to proof;
7. For all statutorily allowed damages;
8. For punitive damages against Defendant UBER, according to proof; and
9. For such other and further relief as the Court may deem just and proper.

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DATED: November 11, 2025

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By: 
Robert S. Glassman
Jonathan H. Davidi
Tyler R. Paboojian
Attorneys for Plaintiff

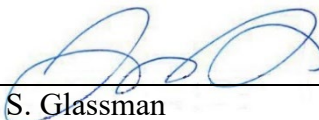
DEMAND FOR TRIAL BY JURY

Plaintiff, ANNIE LEE STEWART, hereby demands a trial by jury as to all causes of action.

DATED: November 11, 2025

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By:



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Attorneys for Plaintiff