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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 ERIN NORMAN, on behalf of herself and all
 13 others similarly situated,

14 Plaintiff,

15 v.

16 UBER TECHNOLOGIES, INC., NEUTRON
 HOLDINGS, INC., SEGWAY, INC. WHICH
 17 WILL DO BUSINESS IN CALIFORNIA AS
 SEGWAY INC. OF DELAWARE, and XIOAMI
 18 USA LLC,

19 Defendant.

Case No.

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

20
 21 Plaintiff Erin Norman (“Plaintiff”), brings this action on behalf of herself and all others
 22 similarly situated against Defendants Uber Technologies, Inc. (“Uber”), Neutron Holdings, Inc. doing
 23 business under the name Lime (“Lime”), Segway, Inc. (“Segway”), and Xioami USA LLC (“Xioami”)
 24 (collectively, with Segway, the “Manufacturer Defendants”) and states:

25 **NATURE OF THE ACTION**

26 1. Beginning in 2017, scooter rental companies (Bird, Lime, Jump) have proliferated
 27 around the United States—offering consumers a purportedly safe and convenient way to navigate cities
 28 as opposed to public transportation or automobiles.

1 2. Jump, a division of the ride-sharing app company, Uber, is one such scooter rental
2 company and has deployed a fleet of tens of thousands of scooters in cities across the country,
3 including, *inter alia*, Atlanta, Denver, New Orleans, Tampa and San Diego. Uber recently sold its
4 “Jump” business to Lime in or around May 2020 (hereinafter, the entities are collectively referred to
5 as “Jump.”).

6 3. Jump advertises its scooters as “fun, affordable, and easy to use” and as requiring no
7 instruction of any sort before a rider is able to lease a scooter and ride it. All a prospective rider needs
8 to do is download an application to their smartphone, use the app to locate an available scooter, activate
9 the scooter with the app, and begin riding.

10 4. To ride a scooter safely, due to the design and geometry of the vehicle, a rider must
11 always use both hands. Attempting to ride a scooter with one hand causes it to become very unstable—
12 a danger that increases with speed. Scooter manufacturers display warnings about the dangers of one-
13 handed operation of a scooter prominently in the owner’s manual.

14 5. Both the Manufacturing Defendants who designed and sold the scooters to Uber and
15 Lime are well aware that these scooters will be operated on city streets and that riders must obey all
16 traffic laws while riding.

17 6. Further, Defendants are well aware that virtually every state, including California,
18 requires bicycle or scooter operators to employ hand signals when making turns if their bicycle or
19 scooter is not equipped with an alternate means of signaling a turn.

20 7. Jump does not warn its customers that following traffic laws will require operation of a
21 scooter in a manner that is well known to be dangerous to passengers.

22 8. The Manufacturing Defendants designed and intended their scooters to be used on city
23 streets where signaling is required as a matter of law, but they did not equip their scooters with any
24 device or mechanism to safely signal a turn while operating the scooter with both hands. Following the
25 deployment of the scooters, the Manufacturing Defendants have actual knowledge that the scooters
26 have been and continue to used in this manner; as an alternative to motorized transportation on city
27 streets.

28

1 15. Lime is a U.S. company with headquarters in San Francisco, California. Lime offers
2 dockless vehicles which users find and unlock via a mobile app which knows the location of available
3 vehicles using GPS. Lime recently purchased the Jump business from Uber.

4 16. Segway is a U.S. company with headquarters in Bedford, New Hampshire. As of April
5 2015, Segway is a wholly-owned subsidiary of Ninebot, Inc., a Chinese transportation/robotics
6 company, headquartered in Beijing, China. Segway/Ninebot manufacture and sell numerous motorized
7 personal vehicles, including the electric scooters marketed, distributed, and leased by Lime and/or
8 Uber.

9 17. Xiaomi USA, is the U.S.-based subsidiary of Xiaomi, a Chinese electronics company
10 based in Beijing, China. Xiaomi USA is based in San Jose, CA. Xiaomi manufactures numerous
11 electronic and robotic devices, including the electric scooters marketed, distributed, and leased by Lime
12 and/or Uber.

13 **FACTUAL BACKGROUND**

14 **A. Electric Scooters Are Unstable Unless Operated with Both Hands**

15 18. While scooter manufacturers and scooter leasing companies like to claim that scooters
16 are easy to ride and as safe as bicycles, that is not the case.

17 19. Electric scooters are much less stable than bicycles. On a scooter, as compared to a
18 bicycle, the handlebars and tires are all on the same axis of rotation, unlike bicycles that have an offset
19 between the handlebars and front tire. The lack of offset on a scooter makes the scooter more unstable
20 than a normal bicycle, especially at speed.

21 20. Because the scooter's front wheel is almost directly in line with where the rider stands,
22 it makes the scooter more prone to tipping over. In contrast, a bicycle has a longer wheelbase. The front
23 wheel of a bicycle is larger than a scooter's and the wheel is further out in front of the rider. All of this
24 makes bicycles more stable and more forgiving when a rider encounters roadway unevenness.

25 21. Additionally, scooters have much shorter handlebars than bicycles. This means that
26 relatively small movements of the hands on the handlebars can translate to greater turning of the tire,
27 increasing instability, especially at speed. In other words, scooters have a much smaller margin for
28 error than bicycles and much more easily become unstable with less movement.

1 22. Finally, scooters have much smaller tires than bicycles, adding to their comparatively
2 greater instability. Larger tires more easily deal with rocks, cracks and potholes than the scooters'
3 smaller tires, which are solid as opposed to air-filled. The scooters' smaller, solid, wheels are much
4 less forgiving on roadway imperfections than larger, air-filled bicycle wheels. A small rock or height
5 differential that can be easily navigated over by a bicyclist, can easily cause an electric scooter rider to
6 lose control and crash. Smaller tires are also more prone to wobble at speed than larger tires.

7 23. If an electric scooter rider takes his or her hand off the handlebars to signal that the rider
8 is turning or stopping, as the California Vehicle Code requires, the rider's risk of losing control and
9 crashing is greatly increased. Complying with the law puts the scooter rider at great risk.

10 24. All of these factors that render scooters less stable than bicycles are known to
11 Defendants. Indeed, Segway/Ninebot expressly warns its customers that operating a scooter safely can
12 only be accomplished with both hands and places this, or similar, warnings in its owner manuals:¹



DO NOT take your hands off the
handlebar while riding. Do not ride with
one hand only.

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