

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

No. 19-2001

ANOUSH CAB, INC.; ARAMS, INC.; ARARRAT, INC.; ATLANTIC CAB, INC.; BARLOW CAB, INC.; BEDROS CAB, INC.; BOYLSTON CAB, INC.; BRIGHAM CAB, INC.; CLEVELAND CAB, INC.; DIAMOND CAB, INC.; ELSIE CAB, INC.; FENWAY TAXI, INC.; G&A CAB, INC.; JORDAN CAB, INC.; JUBRAN CAB, INC.; KILMARNOCK CAB, INC.; LITTLE ISLAND CAB, INC.; LOCUST CAB, INC.; LONGWOOD CAB, INC.; M & AN CAB, INC.; M.P.E. CAB, INC.; MARBED CAB, INC.; MASSIS, INC.; MESROB, INC.; N.E. CAB, INC.; ORIOLE CAB, INC.; PETERBOROUGH CAB, INC.; QUEENSBURY CAB, INC.; SAHAG, INC.; SOVEREIGN CAB, INC.; V & A CAB, INC.; VERAS, INC.; VICKYS, INC.; YELLOWBIRD CAB, INC.

Plaintiffs–Appellants,

v.

UBER TECHNOLOGIES, INC.; RASIER, LLC.

Defendants–Appellees.

(full caption follows on next page)

ON APPEAL FROM A JUDGMENT OF THE UNITED STATES COURT FOR
THE DISTRICT OF MASSACHUSETTS

INITIAL BRIEF OF PLAINTIFFS-APPELLANTS

Edward F. Haber (Bar #12006)
Michelle H. Blauner (Bar #9683)
Ian J. McLoughlin (Bar #1148877)
Adam M. Stewart (Bar #117323)
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May 12, 2020

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ANOUSH CAB, INC.; ARAMS, INC.; ARARRAT, INC.; ATLANTIC CAB, INC.; BARLOW CAB, INC.; BEDROS CAB, INC.; BOYLSTON CAB, INC.; BRIGHAM CAB, INC.; CLEVELAND CAB, INC.; DIAMOND CAB, INC.; ELSIE CAB, INC.; FENWAY TAXI, INC.; G&A CAB, INC.; JORDAN CAB, INC.; JUBRAN CAB, INC.; KILMARNOCK CAB, INC.; LITTLE ISLAND CAB, INC.; LOCUST CAB, INC.; LONGWOOD CAB, INC.; M & AN CAB, INC.; M.P.E. CAB, INC.; MARBED CAB, INC.; MASSIS, INC.; MESROB, INC.; N.E. CAB, INC.; ORIOLE CAB, INC.; PETERBOROUGH CAB, INC.; QUEENSBURY CAB, INC.; SAHAG, INC.; SOVEREIGN CAB, INC.; V & A CAB, INC.; VERAS, INC.; VICKYS, INC.; YELLOWBIRD CAB, INC.

Plaintiffs – Appellants

GILL & GILL, INC.; NANAK NAAM, INC.; AMRITSAR EXPRESS, INC.; SONNY AND BOBBY TRANS., INC.; GILL TRANS., INC.; FINOS TAXI, INC.; CHARLENE TAXI, INC.; MYTASHA TAXI, INC.; WYOMING CAB, INC.; EDWARD'S TAXI, INC.; CURTIS CAB, INC.; MY FATHER TAXI, INC.; MIC-PAUL TAXI, INC.; A. STACY TAXI, INC.; PATTI PIE TAXI, INC.; MCGAFF TAXI, INC.; RAWAN TAXI, INC.; SPRING TAXI, INC.; SUMMERS TAXI, INC.; AUTUMN TAXI, INC.; WINTERS TAXI, INC.; BOW STREET TAXI; BLUE KNIGHT TAXI, INC.; CHELE TAXI, INC.; CHRISTMAS TAXI, INC.; GES TAXI, INC.; GRAND SPORT TAXI, INC.; BREENIE TAXI, INC.; LIL'S TAXI, INC.; CLAIRE TAXI, INC.; DON-LIL TAXI, INC.; ANDY'S CAB, INC.; BOARDMAN CAB, INC.; GROVE CAB, INC.; SECRET SQUIRREL TAXI, INC.; NAVJIT CAB, INC.; PREED, INC.; NAJJAR ENTERPRISES, INC.; BILGA, INC.; JIMMY 1, INC.; ANJU TRANS., INC.; DEEP CAB, INC.; EMATESSE CAB, INC.; CHRISTOPHER CAB, INC.; DADOO CAB, INC.; GURU GOBIND CAB, INC.; AUBANEL TRANS., INC.; RAMC CAB, INC.; TED D. J. TAXI, INC.; MAKONNEN CAB, INC.; YELLOW CAB OF BELMONT, INC.; MAJID, INC.; HIRAM'S TAXI, INC.; JOUNE, INC.; HARE HARE TRANS., INC.; ANPAUL CAB, INC.; TABIKING EXPRESS, INC.; MARCIA AND EVERTON CAB, INC.; RICARDO & JOANNE CAB, INC.;

PATIENCE TAXI, INC.; TURK TRANS., INC.; NATIVITY CAB, INC.; ROSE CAB, INC.; HAAMA TRANS, INC.; TOM'S TAXI, INC.; MERA SOAMI, INC.; MUGAL TRANS., INC.; KHAVEERI, INC.; F. EDEL, INC.; ANGEREB, INC.; TREMONT STREET TAXI, INC.; GANGA, INC.; NEW INVISON, INC.; K. HEYDEN, INC.; BRENT TAXI, INC.; IRAJ, INC.; SWAMI JI, INC.; GEOLANGE, INC.; ESPERANTA TAXI, INC.; SINGH CAB, INC.; SHIVA JI CAB, INC.; LARROUSE CAB, INC.; JAVE CAB, INC.; TALIN CAB, INC.; LUNICA, INC.; NILE EXPRESS, INC.; SMOOTH RIDER, INC.; E. AND ANNE TAXI, INC.; ALEN'S CAB, INC.; MEGAN CAB, INC.; SAMUEL TRANSPORTATION, INC.; PETIT GOAVE CAB, INC.; MICHAEL CAB, INC.; ABSOLUTE TAXI OF CAMBRIDGE, INC.; ALTA TAXI, INC.; TARJAN CAB, INC.; ALEXANDRIA TRANS., INC.; KOHSAR, INC.; RIVAL CAB, INC.; YHWH SABAOTH, INC.; PRAISE THE LORD, INC.; HARVARD SQUARE CAB, INC.; FLYING CARPET CAB, INC.; MEHROSE, INC.; AMAR TRANS., INC.; RB CAB, INC.; CROYANCE CAB, INC.; P.I. CAB, INC.; HOMANO & CARL TAXI, INC.; FLEDO, INC.; J.W. CAB INC.; PIDI CAB, INC.; GODAVARI, INC.; ST. RICHARD TAXI, INC.; RUTH CAB, INC.; SATKARTAR, INC.; ELIOT CAB, INC.; WADH BAGH SINGH CAB, INC.; MY YASMINA CAB, INC.; TWO GIRLS TAXI, INC.; PAPEROSO CAB, INC.; ZAHIDA TRANS., INC.; YVES TAXI, INC.; YUNG CAB, INC.; PALOMA TRANSPORTATION, INC.; MARTHA'S TRANS., INC.; LA BOULE DE FEU, INC.; SPLENDIDE CAB, INC.; SHOOPITE CAB, INC.; GREEN LAND, INC.; TR CAB, INC.; FEDSEN & TEDSEN, INC.; DIEU EST BON, INC.; VICEROY CAB, INC.; NEGES JR., CAB, INC.; RADHA SWAMI BIAS, INC.; PROMISE CAB, INC.; G.G.M. CAB, INC.; PABLE TAXI, INC.; BROTHERS CAB, INC.; KASSIE CAB, INC.; JAZZ TAXI, INC.; B GOOD CAB, INC.; OHM, SHIVA & GANESH CAB, INC.; L'OISEAU TAXI, INC.; LYSETTE & JARDUS, INC.; FATIMA CAB, INC.; SELON DIEU CAB, INC.; M. & D. BROTHERS, INC.; LA TRINITE, INC.; LOVELY ONE, INC.; WILVENS CAB, INC.; GOOD TIME CAB, INC.; DOU DOU CAB, INC.; MGP TAXI, INC.; G. JOSE CAB, INC.; JEAHANNA TAXI, INC.; NATOU CAB, INC.; CLERNA CORP.; ANTONIO & FRANCO, INC.; GURU TEGH BHADUR CAB, INC.; STEFAN TUROLSKI; MONA CAB, INC.; ERIC & MARIA CAB, INC.; CHRIS AND JUNIOR, INC.; SURPRISE CAB, INC.; CHENAL CAB, INC.; ANH CAB, INC.; AUGUST CAB, INC.; KARTAR CAB, INC.; NIMRAH TRANS., INC.; JELUS CAB, INC.; ELZIRA & LUC CAB, INC.; BKMB, INC.; ONLY BELIEVE TAXI, INC.; NADA, INC.; MANOR CAB, INC.; GALEHAD TAXI, INC.; A. TAMMY CAB, INC.; GARVEN'S CAB, INC.; ARNOLD COURT TAXI, INC.; BBJ CAB, INC.; SILVA CAB, INC.; GUMAT CAB, INC.; BRIOL CAB, INC.; BEST IS BEST CAB, INC.; MJ TAXI CAB, INC.; SAMI'S TAXI, INC.; C.T.P. I, INC.; ERA ET

LABORA, INC.; MUNNY TRANS., INC.; HARSH CAB, INC.; SOEG CAB, INC.; ALDINE CAB, INC.; TIVY, INC.; ISAIH MATHEW, INC.; ADVANTAGE TAXI OF CAMBRIDGE, INC.; BANWAIT TRANS., INC.; CAYES II CAB, INC.; JACQUET CAB, INC.; EBEN-EZER TAXI CAB, INC.; YOLY-CARVENS, INC.; SHEIKH TRANS., INC.; MY NATHALIE CAB, INC.; RED FISH CAB, INC.; AZIN TAXI, INC.; MEKLIT CAB, INC.; P & S TAXI CORP.; ROBENSON TAXI, INC.; RP EXCELSIOR, INC.; MILLENNIUM TAXI, INC.; BB TAXI EXPRESS, INC.; TEJA TRANS., INC.; ROL & G., INC.; LOVE CAB, INC.; LES GENS DU NORD, INC. BHARGO INC. H & L CAB, INC.; DELIVRANCE CAB, INC.; TOWN TAXI OF CAPE COD, INC.; KURALA TRANS., INC.; TINA & NINA TRANS., INC.; MAVA TAXI, INC.; CAMBRIDGE CAB CONNECTION, INC.; HERNANDEZ TRANSPORTATION, INC.; RIL-TUL CAB, INC.; KHALSA CAB, INC.; ALPHA OMEGA CAB, INC.; T & J CAB, INC.; MT. EVEREST, INC.; U & I CORP.; JFL CAB, INC.; DADY-PHONE, INC.; R. CANDY TAXI, INC.; VICTORIA CAB, INC.; SELAM TRANSPORTATION, INC.; PRO-CAB, INC.; YOTILLE CAB, INC.; ABCD TAXI, INC.; NKB CAB, INC.; MARCUS CAB, INC.; ELPOORAG, INC.; KENDRA CORPORATION; BRITNEY CAB, INC.; ELAN CAB, INC.; JAI GURUDEV, CORPORATION; DOPHY TAXI, INC.; DREAMERS CAB, INC.; WALGER, INC.; DESDUNES UNITED, INC.; PATRICK TAXI, INC.; DOUCEUR CAB, INC.; JE CROIS EN DIEU, INC.; MT. CARMELLE TAXI, INC.; ABBED CAB, INC.; ADDIS CAB, INC.; ARIEL & JAPHETH, INC.; BETHEL CAB, INC.; CHARLIE CAB, INC.; CORETTA, INC.; CYRILO CAB, INC.; DALESHA TAXI, INC.; DESDUNES CAB, INC.; ELYSSE CORPORATION; FIRST STREET CAB, INC.; G & E. CAB, INC.; GL CAB, INC.; GOH CAB, INC.; GAGAN TAXI, INC.; JACQUELINE CAB, INC.; JEREMIE TAXI, INC.; LOUINE CAB, INC.; M. ANGELO CAB, INC.; NAHAR SINGH CAB, INC.; NEK FAB, INC.; O.D.J. TAXI, INC.; ONKAR CAB, INC.; PH & KN, INC.; RADHA TRANS., INC.; RANDAH CAB, INC.; S & J INC.; TWO BOYS CAB, INC.; VIRGINIA CAB, INC.; WINDSOR CAB, INC.; ZANDO CAB, INC.; AHARAM CAB, INC.; AN YIN PA TA, INC.; ANDERSON & JOSHUA CAB, INC.; ANNA CAB, INC.; ARISTOCRATS AMBIANCE TAXI, INC.; BAINET CAB, INC.; BAY CITY TAXI, INC.; BIBI'S CAB, INC.; C.E.F. CAB, INC.; CAMBRIDGE CLASSIC CAB, INC.; CAYES CAB, INC.; CENTRAL SQUARE, CAB, INC.; CLEO TAXI, INC.; DEFER CAB, INC.; DEMOSTERNE, INC.; EAGLE TAXI, INC.; EL CHALDAY, INC.; ELIZABETH CAB, INC.; ENCHANTE TAXI, INC.; EUREKA CAB, INC.; FARB, INC.; G & J CAB INC.; GIORGIO'S CAB, INC.; GOLDEN TEMPLE TRANS., INC.; GREEN STRIPE CAB, INC.; GURU TRANS., INC.; HAWELTI CAB, INC.; HOSANA TAXI, INC.; ITA CAB, INC.; IMPECCABLE TRANS,

INC.; JMF CAB, INC.; JV TAXI, INC.; JEZIL CAB, INC.; JOYSE CAB, INC.;
KARIM CAB, INC.; KESHIA CAB, INC.; KEVIN TAXI, INC.; KRISHANA
TRANS., INC.; KRISHNA KRISHNA TRANS., INC.; LARRIEUX CAB, INC.;
LELE CAB, INC.; LEXINGTON TAXI, INC.; MIT CAB, INC.; MARK & S,
INC.; MAS TAXI, INC.; MELCHISEDEK CAB, INC.; MIRKA, INC.;
MOGADISHU CAB, INC.; NAJU, INC.; NELCHERI CAB, INC.; NO NO CAB,
INC.; P & G CAB, INC.; P & P DUMERANT CORP.; PAFOU CAB, INC.;
PAPU, INC.; PAUL CAB, INC.; QUEEN JESSICA CAB, INC.; RAAVI
TRANS., INC.; RAI TRANSPORTATION, INC.; RED CAB OF WORCESTER,
INC.; RENEE TAXI, INC.; RENETTE & FRANCKLYN, INC.; RIOS GON
CAB, INC.; ROCK SOLID & MOMONE, INC.; ROLY CAB, INC.; SASUN
CAB, INC.; SATNUM CAB, INC.; SEA WALL TAXI, INC.; SHANI TAXI,
INC.; SHREE GANESH CAB, INC.; SUNSET CAB, INC.; SYMPHONY TAXI,
INC.; TT, INC.; TAXI TECHNOLOGY, INC.; TAYLOR TAXI, INC.; TELFORT
CAB, INC.; ULYSSE TRANS. HOLDING, CORP.; ULYSSE'S CAB, INC.; YO
YO CAB, INC.; YOU TOO CAB, INC.; ZICKY CAB, INC.; 116 CAB, INC.;
CADOUX TAXI, INC.; HANEF TRANS., INC.; TRISTAN & VANESSA CAB,
INC.; BINYAMIN CAB, INC.; CATHUL, INC.; CHRISTOPHER'S CAB, INC.;
DILLONS TRANS., INC.; MARZENEK, INC.; MESHUALEKIA, INC.;
PHATRICKSEY CAB, INC.; YOU AND I CAB, INC.; BENITO & ROSELINE
CAB, INC.; DE LEREBOURS, INC.; LARACINE, INC.; LEYNA CAB, INC.;
MOBARAK CAB, INC.; REHAM CAB, INC.; ROSAMELIA INC.; SJP TAXI,
INC.; THOMAS FAMILY, INC.; GADL CAB, INC. GARRETT CAMP;
LIDETA CAB, INC.; KBS CAB, INC.; MSW TAXI, INC.; MAHNOOR TRANS.,
INC.; PAL TAXI, INC.; ROODY'S CAB, INC.; C & G LEASING, INC. LA
DILIGENCE, INC.

Plaintiffs,

v.

UBER TECHNOLOGIES, INC. and RASIER, LLC.

Defendants – Appellees

TRAVIS KALANICK and GARRETT CAMP,

Defendants.

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