

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

MDL No. 3084

**ORDER GRANTING MOTION TO
CONVERT ORDERS OF
DISMISSAL WITHOUT
PREJUDICE TO ORDERS OF
DISMISSAL WITH PREJUDICE**

This Order Relates To:

Cases in Exhibit A

Dkt. 5567

On February 10, 2026, the Court dismissed without prejudice the claims of certain plaintiffs who failed to comply with PTO 31 (failing to produce a bona fide ride receipt or a statement explaining search efforts). Dkt. 5216. On February 13, 2026, the Court dismissed without prejudice the claims of certain plaintiffs who failed to comply with PTO 5 (failing to provide a bona fide receipt or information sheet regarding the trip), Amended PTO 10 (failing to provide the required Plaintiff Fact Sheet), and PTO 31. Dkts. 4287, 5238, 5242. On February 17, 2026, the Court dismissed without prejudice the claims of certain plaintiffs who failed to comply with Amended PTO 10. Dkt. 5253. Uber now moves to convert those dismissals without prejudice to dismissals with prejudice, pursuant to the procedure outlined in Amended PTO 10.

The majority of plaintiffs listed in Uber's Exhibit A did not file any opposition. Those cases are dismissed with prejudice.

Wagstaff law firm opposes as to certain plaintiffs that it continues to attempt to reach. Dkt. 5734. However, those plaintiffs have been non-compliant with the Court's

1 orders for months and in some cases more than a year. Therefore, the Court finds that
2 dismissal with prejudice is warranted given the prejudice to Uber. See In re
3 Phenylproanolamine (PPA) Prods. Liab. Litig., 460 F.3d 1217, 1227 (9th Cir. 2006). The
4 fact that the Wagstaff law firm has previously attempted to withdraw from representation
5 as to two of those plaintiffs, where Uber discovered evidence that non-bona fide receipts
6 were submitted, is not relevant as the Court has already denied the request for withdrawal.
7 Therefore, the Wagstaff law firm plaintiffs' cases are also dismissed with prejudice.

8 **IT IS SO ORDERED.**

9 Dated: October 13, 2026



10 CHARLES R. BREYER
11 United States District Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28