

1 MICHAEL O. STEPHENSON (CBN: 270724)
2 BAY AREA BICYCLE LAW, PC
3 1904 Franklin St, Suite 900
4 Oakland, CA 94612
5 Telephone: (415) 466-8717
6 Fax: (888) 563-7661
7 Email: MS@BABLPC.com

ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco

06/06/2025
Clerk of the Court
BY: WILMA CORRALES
Deputy Clerk

5 ARIA N. NOOSHA, ESQ. (CBN: 339638)
6 INSTALAW
7 985 Oak Street
8 San Francisco, CA 94117
9 Telephone: (415) 645-4510
10 Fax: (888) 383-8022
11 Email: aria@instalawgroup.com

12 Attorneys for *Plaintiff*
13 Jenifer Hanki

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF SAN FRANCISCO**
14 **CGC-25-626060**

15 JENIFER HANKI

16 Plaintiff,

17 vs.

18 WAYMO LLC, a Delaware Limited
19 Liability Company, ALPHABET INC., a
20 Delaware Corporation, and DOES 1
21 through 30, inclusive,

22 Defendants.

CASE NO.

**COMPLAINT FOR MONETARY AND
PUNITIVE DAMAGES**

1. **Intentional Battery**
2. **Intentional Infliction of Emotional Distress**
3. **General Negligence**
4. **Strict Products Liability**

DEMAND FOR TRIAL BY JURY

UNLIMITED JURISDICTION

23
24 Plaintiff JENIFER HANKI (hereinafter "PLAINTIFF"), by and through her attorneys,
25 Aria N. Noosha and Michael O. Stephenson, alleges and hereby complains of the defendants
26 named above, and each of them as follows:

27 **JURISDICTION AND VENUE**

28 1. The honorable Superior Court of the State of California, County of San Francisco,
has jurisdiction over this matter, and venue is proper pursuant to Code of Civil Procedure section

1 395, because at all times relevant, the events which combined to produce the injuries to Plaintiff
2 occurred in the County of San Francisco, State of California.

3 2. PLAINTIFF has incurred more than the jurisdictional minimum of this court in
4 damages.

5 **THE PARTIES**

6 3. At all times relevant, PLAINTIFF was an individual residing in the City of San
7 Francisco, County of San Francisco, State of California.

8 4. Upon information and belief, DEFENDANT ALPHABET INC. (hereinafter
9 “Alphabet”) is a corporation organized in the state of Delaware with its principal place of business
10 in the City of Mountain View, State of California.

11 5. Upon information and belief, Defendant WAYMO LLC (hereinafter “Waymo”) is a subsidiary of Alphabet with its principal place of business located in the City of Mountain
12 View, State of California, 94043. Waymo is a transportation and technology company that
13 develops autonomous driving systems, including software, hardware, and related services and
14 provides transportation services.

15 6. PLAINTIFF does not know the true names and capacities of DEFENDANTS sued
16 in this Complaint as DOE 1 through DOE 30, inclusive, and therefore sues these DEFENDANTS
17 by fictitious names under Section 474 of the California Code of Civil Procedure. PLAINTIFF
18 will amend this Complaint to allege the true names and capacities of DOE 1 through DOE 30,
19 inclusive, when ascertained. PLAINTIFF is informed and believes, and on that basis alleges, that
20 each of the defendants named herein as DOE 1 through DOE 30, inclusive, is responsible in some
21 manner for the occurrence, injury, and other damages alleged in this COMPLAINT.

22 **GENERAL ALLEGATIONS**

23 7. PLAINTIFF incorporates, repeats, reiterates and re-alleges each and every fact
24 and/or allegation set forth in the prior and the subsequent paragraphs of this COMPLAINT with
25 the same force and effect as though more fully set forth at length herein.

26 8. PLAINTIFF is informed and believes and thereon alleges that, at all times herein
27 mentioned, DEFENDANTS were the owners and/or operators of the subject vehicle. All
28

1 Defendants operated and/or controlled the vehicle with the knowledge and consent of all other
2 DEFENDANTS.

3 9. At all times herein mentioned, DEFENDANTS owed a duty of care to all
4 reasonably foreseeable people, including PLAINTIFF, to entrust, own, lease, manage, maintain,
5 control, repair, drive, design, and operate DEFENDANTS' vehicle in a safe and reasonable
6 matter.

7 10. DEFENDANTS so negligently entrusted, owned, leased, managed, maintained,
8 controlled, repaired, drove, designed, and/or operated DEFENDANT's vehicle so as to
9 proximately cause the subject incident, thereby causing PLAINTIFF to sustain severe injuries.

10 FACTS

11 11. PLAINTIFF incorporates, repeats, reiterates and re-alleges each and every fact
12 and/or allegation set forth in the prior and the subsequent paragraphs of this COMPLAINT with
13 the same force and effect as though more fully set forth at length herein.

14 12. On or about February 16, 2025, at approximately 12:12 p.m., PLAINTIFF was
15 lawfully operating a bicycle in the City and County of San Francisco, traveling northwest on 7th
16 Street within the marked and demarcated bicycle lane between Stevenson Street and Market
17 Street.

18 13. At that time, a 2021 Jaguar I-PACE autonomous vehicle bearing California license
19 plate number 41044B3, owned, operated, designed, and/or maintained by DEFENDANTS
20 (hereinafter "Vehicle 1"), had pulled over to the northeast curb of 7th Street. VEHICLE 1 was
21 parked adjacent to the bicycle lane and the curb demarcated with signage stating: "Tow-Away
22 No Stopping Except 30 Minute 6 Wheel Commercial Vehicles At All Times." VEHICLE 1 was
23 fully autonomous, unoccupied by a driver, and was carrying four passengers, having stopped to
24 discharge them.

25 14. As PLAINTIFF lawfully proceeded through the designated bike lane, a rear-left
26 (driver-side) passenger of the VEHICLE 1 suddenly and without warning opened the rear door
27 directly into the bike lane and into PLAINTIFF's immediate path of travel.

28 15. Simultaneously, a second autonomous Waymo vehicle—a 2021 Jaguar I-PACE
bearing California license plate number 84475W3— (hereinafter "Vehicle 2") was traveling

1 parallel to the first vehicle on the southeast side of the bike lane. This second vehicle, also fully
2 autonomous and carrying an unknown number of passengers, began merging toward the northeast
3 curb to initiate a passenger drop-off. In doing so, it crossed into the bicycle lane, further narrowing
4 the usable lane width and eliminating PLAINTIFF's opportunity to safely maneuver.

5 16. PLAINTIFF's bicycle struck the open door of the VEHICLE 1, and as a result of
6 the impact, she was ejected from her bicycle and thrown laterally into the adjacent traffic lane,
7 where she collided with the front passenger side of the VEHICLE 2, which was obstructing the
8 bicycle lane.

9 17. PLAINTIFF sustained serious bodily injuries and was transported via ambulance
10 for emergency treatment.

11 18. At all relevant times, PLAINTIFF was operating her bicycle carefully, lawfully,
12 and in full compliance with all applicable rules of the road. The subject collision and
13 PLAINTIFF's resulting injuries were directly and proximately caused by the negligent, reckless,
14 and unlawful conduct of DEFENDANTS, their agents, employees, and/or artificial intelligence
15 systems under DEFENDANTS' control.

16 19. At all times relevant, DEFENDANT marketed and represented its vehicles as
17 being equipped with proprietary LiDAR-based sensor technology capable of tracking
18 surrounding vehicles, pedestrians, cyclists, and other roadway objects. Among the safety systems
19 advertised by DEFENDANT is a feature known as the "Safe Exit" system, which is supposed to
20 be designed to detect nearby cyclists and pedestrians and notify disembarking passengers to avoid
21 collisions.

22 20. PLAINTIFF is informed and believes, and thereon alleges, that the Safe Exit
23 system was defective and failed to function as intended during the subject incident. The passenger
24 who opened the door into PLAINTIFF's path was not alerted to PLAINTIFF's presence,
25 indicating a malfunction, failure to engage, or design flaw in DEFENDANT Waymo's
26 proprietary safety technology.

27 21. DEFENDANTS have known for a significant amount of time that cyclists are at
28 significant risk of serious injury and/or death from "dooring" incidents, and that its vehicles were
regularly causing such events.

1 22. Despite this knowledge, DEFENDANTS have willfully and wantonly continued
2 deploying and operating its fleet in a manner that exposes cyclists to foreseeable and preventable
3 harm and risk of death.

4 23. PLAINTIFF is further informed and believes that DEFENDANTS intentionally
5 propagated and encouraged the passengers to flee the scene of the accident to avoid the lawful
6 exchange of information, destroy potential evidence, and secure a financial benefit for
7 DEFENDANTS by minimizing liability exposure.

8 24. Passengers of VEHICLE 1 departed the scene without rendering aid or complying
9 with post-collision legal obligations, and DEFENDANTS intentionally declined to take steps to
10 identify or disclose the identities of the passengers involved. This post-incident conduct caused
11 PLAINTIFF additional harm, including shock, distress, and uncertainty in seeking redress.
12 DEFENDANTS intentionally injured PLAINTIFF in this manner.

13 25. PLAINTIFF is informed and believes, and thereon alleges, that DEFENDANTS
14 intentionally (i.e. with knowledge to a substantial certainty) caused injury to PLAINTIFF—as
15 well as numerous other cyclists, pedestrians, and motorists in San Francisco and other cities—by
16 intentionally creating a situation in which WAYMO vehicles and passengers are highly likely
17 and substantially certain to strike cyclists with vehicle doors opened into bicycle lanes.

18 26. PLAINTIFF is informed and believes, and thereon alleges, that WAYMO’s
19 experience in developing autonomous vehicle technology for passenger carrier service includes
20 tens of millions of autonomous miles driven on public roads, and tens of billions of miles of
21 simulated driving. From WAYMO’s autonomous vehicle research and testing, WAYMO has
22 developed and deployed a commercial ride-hailing service, Waymo One™. The Waymo One
23 service is powered by the Waymo Driver,™ an automated driving system (“ADS”). Waymo’s
24 fully autonomous fleet is currently made up of the battery-electric Jaguar I-PACE vehicle
25 platform, and the ride-hailing experience is supported by the Waymo One mobile app, available
26 on both iOS and Android platforms.

27 27. PLAINTIFF is informed and believes that DEFENDANTS are aware that its
28 application-based transportation model contributes to unsafe disembarkation behavior by

1 passengers and that its user interface—reliant on visual and tactile interaction—causes
2 distraction, further increasing risk to nearby cyclists.

3 28. WAYMO has long known that its system design, deployment strategies, passenger
4 drop off practices, and business model expose cyclists to significant danger, including being
5 struck by doors opened into bike lanes and being involved in collisions with autonomous vehicles
6 during passenger drop-offs.

7 29. PLAINTIFF is further informed and believes, and thereon alleges, that
8 WAYMO’s application-based transportation model and its deployment of autonomous vehicle
9 technology creates a heightened risk of collision, injury, and death due to passenger distraction,
10 absence of human drivers, and inadequate automated safety interventions.

11 30. Despite this knowledge, WAYMO has intentionally chosen not to implement
12 adequate safety protocols, software safeguards, or user behavior controls, and has instead
13 prioritized operational scale and cost efficiency at the expense of public safety.

14 31. PLAINTIFF is informed and believes, and thereon alleges, that DEFENDANTS
15 has made profit-driven decisions to continue placing its vehicles in situations where they are
16 likely to injure cyclists—including dooring events and unsafe curbside drop-offs—because
17 modifying its system or business model would reduce efficiency and profitability.

18 32. DEFENDANTS have failed to prevent or deter its passengers from fleeing the
19 scene of injury-causing collisions, and by doing so, has intentionally harmed cyclists like
20 PLAINTIFF by subjecting them to additional fear, confusion, and legal obstruction following
21 incidents of injury

22 33. PLAINTIFF is informed and believes, and thereon alleges, that Waymo has held
23 California Public Utilities Commission (CPUC) operating authority dating back to July 2019, as
24 one of California’s first passenger carriers permitted to transport members of the public in
25 autonomous vehicles. Currently, Waymo holds CPUC operating authority as an AV 4 charter-
26 party carrier of passengers (TCP) and participates in the Commission’s AV Programs (Drivered
27 and Driverless Pilot; Phase I Drivered and Driverless Deployment), operating the Waymo One
28 passenger carrier service under the jurisdiction of the CPUC.

1 34. PLAINTIFF is informed and believes, and thereon alleges, that WAYMO is
2 classified under California law as a charter-party carrier and autonomous vehicle passenger
3 service provider, subject to CPUC regulation and authorized to operate under a TCP license
4 (TCP0038152A). DEFENDANT WAYMO also holds a DMV Autonomous Vehicle Deployment
5 Permit, enabling it to operate fully driverless commercial vehicles on public roads.

6 35. PLAINTIFF alleges that on February 16, 2025, at the time of this collision, that
7 WAYMO was a subsidiary and/or partner of ALPHABET, and that a partnership and/or agency
8 relationship existed between them.

9 36. PLAINTIFF alleges that WAYMO has been designated TCP license number
10 TCP0028152A by the California Public Utilities Commission (hereinafter "PUC") and that
11 Waymo, Alphabet, and/or Does 1-30 use said license to operate its vehicles in California.

12 37. PLAINTIFF is informed and believes, and thereon alleges, that DEFENDANT
13 knowingly made material misrepresentations and omissions to the CPUC in connection with their
14 applications for licensure, operating authority, charters, and related regulatory approvals
15 necessary to deploy their autonomous vehicles on California roadways.

16 38. These misrepresentations include, but are not limited to, DEFENDANT's ability
17 to safely select drop-off locations and prevent collisions with vulnerable road users. These
18 misrepresentations were made in official regulatory filings, including Waymo's Passenger Safety
19 Plan submitted to the CPUC's Driverless Autonomous Vehicle Deployment Program. These
20 misrepresentations included affirmative statements to the CPUC such as:

- 21 • "We also design our vehicles to be capable of complying with federal, state, and
22 local laws within our geographic areas of operation. Through our internal
23 programs and processes, we identify applicable legal requirements relevant to safe
24 driving and build those requirements into our system." See *Passenger Safety Plan,*
25 *CPUC Driverless Autonomous Vehicle Deployment Program* (Mar. 2025) (on file
26 with Cal. Pub. Utils. Comm'n).
- 27 • "The Waymo AV factors in compliance with applicable stopping, standing, and
28 parking laws... ". *Id.*

1 39. In particular, PLAINTIFF alleges that DEFENDANTS falsely represented the
2 safety capabilities and operational safeguards of their autonomous vehicle system in order to
3 obtain early market access and expand their Waymo One service throughout San Francisco and
4 other California cities, thereby gaining an economic and competitive advantage.

5 40. PLAINTIFF is informed and believes, and thereon alleges, that these
6 representations were materially misleading, and DEFENDANTS were aware it was misleading,
7 because Waymo's autonomous vehicles routinely perform pickups and drop-offs in prohibited or
8 unsafe locations—including active bicycle lanes and restricted curb zones—without adequate
9 compliance with applicable stopping and standing laws, and without exercising reasonable
10 precautions to protect bicyclists, pedestrians, or other road users.

11 41. PLAINTIFF further alleges that DEFENDANTS failed to disclose to the CPUC
12 and the public the frequency and foreseeability of dangerous drop-offs, dooring incidents, and
13 blocked bike lanes associated with the Waymo One service, despite having access to data and
14 internal reports indicating that such events were occurring and likely to increase with expansion.

15 42. PLAINTIFF is informed and believes that DEFENDANTS deliberately
16 minimized or concealed these safety concerns from the CPUC and instead portrayed their system
17 as prioritizing safety and minimizing community impact, in order to secure regulatory
18 permissions and advance their commercial deployment strategy before fully addressing known
19 risks.

20 43. PLAINTIFF was foreseeably and directly harmed by DEFENDANTS' premature
21 and deceptively secured market entry. Had the CPUC been fully apprised of the risks posed by
22 Waymo's deployment model and safety shortcomings, it would have been unlikely to approve the
23 very operations that exposed Plaintiff to the injuries described herein.

24 44. PLAINTIFF alleges that Waymo is the insurance certificate holder for the
25 insurance that it is required to carry as a charter-party carrier, which it uses for its operations.

26 45. Waymo's conduct—before, during, and after the incident—was carried out with
27 conscious disregard of the safety and rights of others, justifying the imposition of punitive
28 damages under California Civil Code section 3294.

FIRST CAUSE OF ACTION

(Intentional Battery)

1
2
3 46. PLAINTIFF incorporates, repeats, reiterates and re-alleges each and every fact
4 and/or allegation set forth in the prior and the subsequent paragraphs of this COMPLAINT with
5 the same force and effect as though more fully set forth at length herein.

6 47. During the subject incident, through its conduct described elsewhere in this
7 COMPLAINT, DEFENDANTS, and each of them, committed a battery by causing PLAINTIFF
8 to be physically struck with the intent (i.e. knowledge to a substantial certainty) to harm her.

9 48. During and prior to the subject collision, DEFENDANTS, and each of them, were
10 substantially certain that the battery would result from the DEFENDANTS' conduct.

11 49. PLAINTIFF did not consent to the touching.

12 50. PLAINTIFF was harmed by conduct of the DEFENDANTS, and each of them,
13 described elsewhere in this COMPLAINT.

14 51. A reasonable person in PLAINTIFF's situation would have been offended by the
15 touching.

16 52. Prior to and during the subject incident, the actions of DEFENDANTS, and each
17 of them, were in willful disregard of the rights of PLAINTIFF and other cyclists in San Francisco.

18 53. The collision which harmed PLAINTIFF was the natural and probable
19 consequence of conduct of the DEFENDANTS, and each of them, described elsewhere in this
20 COMPLAINT.

21 54. PLAINTIFF alleges that the conduct of the DEFENDANTS, and each of them,
22 was engaged in with "malice" (despicable conduct which was carried on by the DEFENDANTS
23 with willful and conscious disregard for the safety of others) and was done with conscious
24 disregard of the rights and safety of others, including but not limited to the PLAINTIFF herein,
25 so as to warrant the imposition of punitive damages pursuant to California Civil Code section
26 3294.
27
28

SECOND CAUSE OF ACTION

(Intentional Infliction of Emotional Distress)

1
2
3 55. PLAINTIFF incorporates, repeats, reiterates and re-alleges each and every fact
4 and/or allegation set forth in the prior and the subsequent paragraphs of this COMPLAINT with
5 the same force and effect as though more fully set forth at length herein.

6 56. The conduct of the DEFENDANTS, and each of them, before, during, and after
7 the subject incident, described elsewhere in this COMPLAINT, caused PLAINTIFF to suffer
8 severe emotional distress.

9 57. PLAINTIFF is informed and believes that DEFENDANTS knew that their system
10 had caused multiple prior injuries to cyclists in the City of San Francisco and other jurisdictions,
11 as documented in internal incident reports, consumer complaints, and crash data analytics, but
12 continued to operate under the same conditions without implementing safety changes

13 58. The conduct of the DEFENDANTS, and each of them, described elsewhere in this
14 Complaint was outrageous, dangerous, malicious, reckless, and purely profit-driven with willful
15 and wanton disregard for the safety of cyclists and pedestrians attempting to travel in the same
16 vicinity as WAYMO’s vehicles.

17 59. At all relevant times DEFENDANTS, and each of them, acted with malice and
18 with reckless disregard of the probability that PLAINTIFF, and others like her, would suffer
19 emotional distress, knowing that PLAINTIFF, and others like her, were present.

20 60. At all relevant times, DEFENDANTS, and each of them, knew that emotional
21 distress would probably result from its conduct described elsewhere in this COMPLAINT.

22 61. DEFENDANTS, and each of them, gave little or no thought to the probable effects
23 of its conduct.

24 62. PLAINTIFF has suffered severe emotional distress as a result.

25 63. DEFENDANTS, and each of them, conduct described elsewhere in this
26 COMPLAINT was a substantial factor in causing PLAINTIFF’s severe emotional distress.

27 64. PLAINTIFF alleges that the conduct of the DEFENDANTS, and each of them,
28 was engaged in with “malice” (despicable conduct which was carried on by DEFENDANTS with
a willful and conscious disregard for the safety of others) and was done in conscious disregard of

1 the rights and safety of others, including but not limited to the PLAINTIFF herein, so as to warrant
2 the imposition of punitive damages pursuant to California Civil Code section 3294.

3 **THIRD CAUSE OF ACTION**

4 **(Negligence)**

5 65. PLAINTIFF incorporates, repeats, reiterates and re-alleges each and every fact
6 and/or allegation set forth in the prior and the subsequent paragraphs of this COMPLAINT with
7 the same force and effect as though more fully set forth at length herein.

8 66. PLAINTIFF alleges that DEFENDANTS, and each of them, owed PLAINTIFF a
9 duty of reasonable/due care as well as statutory duties established in California Vehicle Sections
10 22500, 22517, 21211, 21458 and 20002, San Francisco Transportation Code § 7.2.25., as well as
11 California Civil Code Section 1708.

12 67. PLAINTIFF alleges that DEFENDANTS, and each of them, were negligent in the
13 ownership, design, operation, deployment, supervision, and control of their autonomous vehicles,
14 including but not limited to the vehicles bearing license plates 41044B3 and 84475W3.

15 68. PLAINTIFF alleges that DEFENDANTS, and each of them, were reckless in a
16 willful and wanton manner for developing, deploying, and maintaining a ride-hailing system
17 through the Waymo One App that caused illegal and dangerous passenger drop-offs at unsafe and
18 unauthorized curbside locations, including areas specifically designated as "No Stopping" zones
19 in violation of posted signage and California Vehicle Code §§ 21458 and 22500 and San
20 Francisco Transportation Code § 7.2.25; allowed passengers to disembark into bicycle lanes in
21 violation of California Vehicle Code § 21211; and permitted doors to open into traffic and
22 cyclists' paths in violation of California Vehicle Code § 22517.

23 69. PLAINTIFF alleges that DEFENDANTS failed to properly design and implement
24 autonomous vehicle software and protocols that would prevent the autonomous vehicles from
25 initiating passenger drop-offs in areas where doing so would endanger cyclists, obstruct bicycle
26 lanes, or violate applicable traffic laws and municipal regulations.

27 70. DEFENDANTS owed a duty to the general public, including PLAINTIFF, to
28 operate their autonomous vehicles in a safe, reasonable, and lawful manner and to comply with

1 the California Vehicle Code, local traffic ordinances, and the duty of care imposed by law on
2 passenger carriers.

3 71. PLAINTIFF alleges that DEFENDANTS, and each of the, negligently, recklessly,
4 wantonly, and maliciously, managed, maintained, and operated Vehicle 1 and Vehicle 2 so as to
5 cause PLAINTIFF to be violently injured in the collision.

6 72. PLAINTIFF alleges that DEFENDANTS, and each of them, through their
7 wrongful acts as set forth above, breached their duties of care and said breach was the proximate
8 cause of PLAINTIFF's injuries.

9 73. PLAINTIFF further alleges that this unlawful violation of the statutes referenced
10 herein proximately caused her injuries, and the injury suffered was of the type these statutes were
11 specifically designed to prevent—namely, collisions caused by obstruction or interference with
12 bike lane traffic and sudden opening of doors into designated cycling paths.

13 74. PLAINTIFF alleges that as a proximate result of the conduct of DEFENDANTS,
14 and each of them, PLAINTIFF was injured in her health, strength, and activity, sustaining shock
15 and injury to the body, nervous system, and person, all of which caused and continue to cause
16 PLAINTIFF mental, physical, and nervous pain and suffering, all to PLAINTIFF's general
17 damage in amounts not fully ascertained, but that are to be determined at trial according to proof.

18 75. As a further proximate result of the conduct of DEFENDANTS, PLAINTIFF has
19 incurred and will continue to incur medical and related expenses. The full amount of expenses is
20 not fully ascertained, but is to be determined at trial according to proof.

21 76. As a further proximate result of the conduct of DEFENDANTS, PLAINTIFF has
22 sustained a loss of earnings, lost wages, loss of future earnings, and/or loss of future earning
23 capacity. The full amount of loss of earnings, and loss of future earnings, and/or loss of future
24 earning capacity is not fully ascertained, but is to be determined at trial according to proof.

25 77. As a further proximate result of the conduct of DEFENDANTS, PLAINTIFF's
26 personal property was damaged, all to PLAINTIFF's damages in amounts to be determined at
27 trial according to proof.

28 78. PLAINTIFF alleges that the conduct of DEFENDANTS, and each of them, was
engaged with "malice" (despicable conduct which was carried on by DEFENDANTS with willful

1 and conscious disregard for the safety of others) including but not limited to the PLAINTIFF
2 herein, so as to warrant the imposition of punitive damages pursuant to California Civil Code
3 section 3294.

4 79. PLAINTIFF alleges that at the time and place of the subject collision,
5 DEFENDANTS intentionally, recklessly, deliberately, maliciously, wantonly, and negligently
6 did not do what was reasonably expected of a person of ordinary prudence, acting under similar
7 circumstances, who desire to comply with said statutory sections.

8 80. PLAINTIFF alleges that California Vehicle Code Sections 22500, 22517, 21211
9 and/or 20002 and Civil Code Section 1708 were laws implemented by the State of California to
10 protect individuals from injury or death. PLAINTIFF alleges that PLAINTIFF was a member of
11 the class of persons intended to be protected by these laws.

12 81. PLAINTIFF alleges that DEFENDANTS, and each of them, owed PLAINTIFF a
13 duty to conduct their affairs in accordance with statutes of the California Vehicle Code outlined
14 above.

15 82. PLAINTIFF is informed and believes, and thereon alleges, that DEFENDANTS
16 knowingly designed, programmed, and operated their autonomous vehicles in a manner that
17 violated these statutes—particularly by facilitating and allowing passenger drop-offs in
18 prohibited curb zones and within or adjacent to marked bicycle lanes.

19 83. PLAINTIFF alleges that at said time and place, DEFENDANTS violated the
20 aforementioned sections of California Vehicle Code, as well as other sections of the CVC that
21 are applicable, and the violations proximately/legally caused injury to PLAINTIFF and caused
22 the associated damages as herein set forth.

23 84. PLAINTIFF alleges that PLAINTIFF's injuries and damages as set forth herein
24 resulted from an occurrence, the nature of which the above-referenced statutory sections were
25 designed to prevent.

26 85. DEFENDANTS, and each of them, are therefore liable to PLAINTIFF for
27 negligence per se.

28 86. PLAINTIFF alleges that the conduct of DEFENDANTS, and each of them, was
engaged with "malice" (despicable conduct which was carried on by DEFENDANTS with willful

1 and conscious disregard for the safety of others) including but not limited to the PLAINTIFF
2 herein, so as to warrant the imposition of punitive damages pursuant to California Civil Code
3 section 3294.

4 **FOURTH CAUSE OF ACTION**

5 **(Strict Products Liability)**

6 87. PLAINTIFF incorporates, repeats, reiterates and re-alleges each and every fact
7 and/or allegation set forth in the prior and the subsequent paragraphs of this COMPLAINT with
8 the same force and effect as though more fully set forth at length herein.

9 88. At all times relevant hereto, DEFENDANTS and each of them were engaged in
10 the business of designing, developing, engineering, testing, marketing, promoting, assembling,
11 equipping, inspecting, repairing, fabricating, advertising, distributing, and providing access to
12 autonomous vehicles and their component systems, including the VEHICLE 1 and VEHICLE 2,
13 for use by the consuming public throughout San Francisco and other cities through the Waymo
14 One App.

15 89. At the time the subject vehicles were placed into the stream of commerce and at
16 all times relevant, the vehicles were expected to and did reach consumers, including PLAINTIFF,
17 without substantial change in the condition in which they were sold and distributed.

18 90. The autonomous vehicles, including their passenger drop-off functionality, door
19 warning systems (such as the "Safe Exit" feature), and lane navigation protocols, were defective
20 because they failed to prevent or warn of foreseeable harm to cyclists lawfully using the roadway
21 and adjacent bike lanes.

22 91. Specifically, the subject vehicles permitted passenger disembarkation in areas
23 where doing so obstructed bicycle lanes, and failed to alert passengers to the imminent presence
24 of PLAINTIFF despite technological features advertised by DEFENDANTS to do so.

25 92. The design of the ADS, passenger management features, and user-facing software,
26 including the Waymo One App, created an unreasonable risk of harm to persons such as
27 PLAINTIFF, who are foreseeable users of public bike lanes.
28

1 93. DEFENDANTS failed to use reasonable and feasible alternative designs or
2 safeguards that would have mitigated or eliminated the risks posed by their autonomous vehicle
3 system.

4 94. The design defects that contributed to PLAINTIFF’s injuries include, but are not
5 limited to: (a) allowing the drop-off of passengers in clearly marked no-stopping zones near areas
6 of foreseeable cyclist and pedestrian traffic; and (b) incorporating systems and design choices
7 despite knowledge that they would likely result in dooring events and collisions involving
8 cyclists, in reckless disregard of the safety risks such conduct posed.

9 95. The benefits of the vehicle’s design did not outweigh the risks of the design, when
10 considering the gravity of the potential harm resulting from the use of the vehicle, the likelihood
11 that this harm would occur, and the feasibility of an alternative design.

12 96. PLAINTIFF is informed and believes, and thereon alleges, that DEFENDANTS
13 knew their products engaged in these unsafe practices and, with full awareness of the likely harm
14 to bicyclists such as PLAINTIFF, deliberately introduced and maintained these products in the
15 stream of commerce in conscious disregard of public safety.

16 97. PLAINTIFF is informed and believes, and thereon alleges, that PLAINTIFF was
17 a foreseeable individual likely to be injured by the manufacturing and design defects in
18 DEFENDANTS autonomous vehicle products and systems, particularly in light of her status as a
19 lawful user of a public bicycle lane in an urban area where Waymo operates.

20 98. PLAINTIFF is further informed and believes, and thereon alleges, that
21 DEFENDANTS implemented the aforementioned design choices not based on safety
22 considerations, but because such practices were the most economically advantageous, generated
23 the most revenue, and conferred a significant competitive advantage to Waymo within the
24 autonomous vehicle and ride-hailing industries.

25 99. PLAINTIFF is further informed and believes, DEFENDANTS possessed
26 information that was reasonably and scientifically knowable to them, through appropriate
27 research and testing by known methods, at the time they designed, developed, engineered, tested,
28 marketed, promoted, advertised, and deployed autonomous vehicles and their systems to the
consuming public, but which were not known to end users or consumers.

1 100. PLAINTIFF is informed and believes, and thereon alleges, that PLAINTIFF was
2 a foreseeable individual likely to be injured by the manufacturing and design defects in
3 DEFENDANTS' autonomous vehicle products and systems, particularly in light of her status as
4 a lawful user of a public bicycle lane in an urban area where Waymo operates.

5 101. As a direct and proximate result of the aforementioned product defects,
6 PLAINTIFF sustained serious physical injuries, pain and suffering, emotional distress, medical
7 expenses, and economic and non-economic damages in an amount to be proven at trial.

8 102. PLAINTIFF alleges that the conduct of DEFENDANTS, and each of them, was
9 engaged with "malice" (despicable conduct which was carried on by DEFENDANTS with willful
10 and conscious disregard for the safety of others) including but not limited to the PLAINTIFF
11 herein, so as to warrant the imposition of punitive damages pursuant to California Civil Code
12 section 3294.

13 **PRAYER FOR RELIEF**

14 1. WHEREFORE, PLAINTIFF prays for a judgment against WAYMO,
15 ALPHABET, AND DOES 1 to 30, inclusive, as follows:

- 16 1. General damages to Plaintiff, in amounts according to proof at trial;
- 17 2. Economic damages to Plaintiff, in amounts according to proof at trial;
- 18 3. Property Damages to Plaintiff, in amounts according to proof at trial;
- 19 4. Medical and related expenses of Plaintiff, in amounts according to proof at trial;
- 20 5. Loss of earnings of Plaintiff, in amounts according to proof at trial;
- 21 6. Loss of earning capacity of Plaintiff, in amounts according to proof at trial;
- 22 7. Costs of suit herein;
- 23 8. Prejudgment interest;
- 24 9. Punitive Damages; and
- 25 10. Such other further relief as the Court deems just and proper.

26 ///

27 ///

28 ///


///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JURY DEMAND


PLAINTIFF demands a trial by jury on all claims so triable.

Dated: June 6, 2025

By: 

MICHAEL O. STEPHENSON
BAY AREA BICYCLE LAW, PC
Attorney for Plaintiff

Dated: June 6, 2025

By: 

ARIA N. NOOSHA
INSTALAW
Attorney for Plaintiff

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Michael Stephenson (SBN 270724); (see attachment for additional attorneys) Bay Area Bicycle Law, P.C. 1904 Franklin St., Ste 900, Oakland, CA 94612

TELEPHONE NO.: 415-466-8717 FAX NO.: 888-563-7661 EMAIL ADDRESS: M.Stephenson@BayAreaBicycleLaw.com ATTORNEY FOR (Name): Plaintiff, Jenifer Hanki

FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of San Francisco 06/06/2025 Clerk of the Court BY: WILMA CORRALES Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME: San Francisco Superior Court

CASE NAME: Jenifer Hanki v. Waymo LLC

CIVIL CASE COVER SHEET Complex Case Designation [x] Unlimited (Amount demanded exceeds \$35,000) [] Limited (Amount demanded is \$35,000 or less) [] Counter [] Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: CGC-25-626060 JUDGE: DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case: Auto Tort [x] Auto (22) [] Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort [] Asbestos (04) [] Product liability (24) [] Medical malpractice (45) [] Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort [] Business tort/unfair business practice (07) [] Civil rights (08) [] Defamation (13) [] Fraud (16) [] Intellectual property (19) [] Professional negligence (25) [] Other non-PI/PD/WD tort (35) Employment [] Wrongful termination (36) [] Other employment (15) Contract [] Breach of contract/warranty (06) [] Rule 3.740 collections (09) [] Other collections (09) [] Insurance coverage (18) [] Other contract (37) Real Property [] Eminent domain/Inverse condemnation (14) [] Wrongful eviction (33) [] Other real property (26) Unlawful Detainer [] Commercial (31) [] Residential (32) [] Drugs (38) Judicial Review [] Asset forfeiture (05) [] Petition re: arbitration award (11) [] Writ of mandate (02) [] Other judicial review (39) Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) [] Antitrust/Trade regulation (03) [] Construction defect (10) [] Mass tort (40) [] Securities litigation (28) [] Environmental/Toxic tort (30) [] Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment [] Enforcement of judgment (20) Miscellaneous Civil Complaint [] RICO (27) [] Other complaint (not specified above) (42) Miscellaneous Civil Petition [] Partnership and corporate governance (21) [] Other petition (not specified above) (43)

2. This case [] is [x] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management: a. [] Large number of separately represented parties b. [] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve c. [] Substantial amount of documentary evidence d. [] Large number of witnesses e. [] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court f. [] Substantial postjudgment judicial supervision 3. Remedies sought (check all that apply): a. [x] monetary b. [] nonmonetary; declaratory or injunctive relief c. [x] punitive 4. Number of causes of action (specify): 4 5. This case [] is [x] is not a class action suit. 6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 6/6/2025 Michael Stephenson, Esq. (TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions. File this cover sheet in addition to any cover sheet required by local court rule. If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding. Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

- Auto (22)–Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
- Asbestos Property Damage
- Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
- Medical Malpractice–Physicians & Surgeons
- Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
- Premises Liability (e.g., slip and fall)
- Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
- Intentional Infliction of Emotional Distress
- Negligent Infliction of Emotional Distress
- Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
- Legal Malpractice
- Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

Employment

- Wrongful Termination (36)
- Other Employment (15)

Contract

- Breach of Contract/Warranty (06)
- Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
- Contract/Warranty Breach–Seller Plaintiff (*not fraud or negligence*)
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
- Collection Case–Seller Plaintiff
- Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
- Auto Subrogation
- Other Coverage
- Other Contract (37)
- Contractual Fraud
- Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
- Writ of Possession of Real Property
- Mortgage Foreclosure
- Quiet Title
- Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
- Writ–Administrative Mandamus
- Writ–Mandamus on Limited Court Case Matter
- Writ–Other Limited Court Case Review
- Other Judicial Review (39)
- Review of Health Officer Order
- Notice of Appeal–Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
- Abstract of Judgment (Out of County)
- Confession of Judgment (*non-domestic relations*)
- Sister State Judgment
- Administrative Agency Award (*not unpaid taxes*)
- Petition/Certification of Entry of Judgment on Unpaid Taxes
- Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint (*not specified above*) (42)
- Declaratory Relief Only
- Injunctive Relief Only (*non-harassment*)
- Mechanics Lien
- Other Commercial Complaint Case (*non-tort/non-complex*)
- Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
- Civil Harassment
- Workplace Violence
- Elder/Dependent Adult Abuse
- Election Contest
- Petition for Name Change
- Petition for Relief From Late Claim
- Other Civil Petition

SHORT TITLE: Jenifer Hanki v. Waymo LLC	CASE NUMBER:
--	--------------

ATTACHMENT (Number): 1*(This Attachment may be used with any Judicial Council form.)*

Additional Plaintiff's Attorneys:

ARIA N. NOOSHA, ESQ. (CBN: 339638)

INSTALAW

985 Oak Street

San Francisco, CA 94117

Telephone: (415) 645-4510

Fax: (888) 383-8022

Email: aria@instalawgroup.com

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 3 of 3*(Add pages as required)*

**SUMMONS
(CITACION JUDICIAL)**

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

WAYMO LLC, a Delaware Limited Liability Company, ALPHABET INC., a Delaware Corporation, and DOES 1 through 30, inclusive

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

JENIFER HANKI

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): **San Francisco Superior Court**
400 McAllister St.
San Francisco, CA 94102

CASE NUMBER:
(Número del Caso):

CGC-25-626060

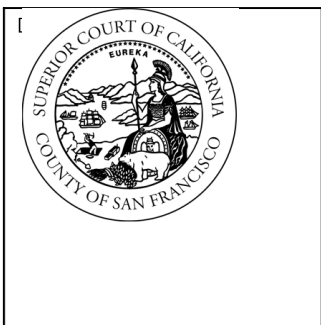
The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Michael Stephenson; 1904 Franklin St., Ste. 900; Oakland, CA 94612; 415-466-8717

DATE: **06/09/2025**
(Fecha)

Clerk, by
(Secretario)

WILMA CORRALES, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.
2. as the person sued under the fictitious name of (specify):
3. on behalf of (specify):
 under: CCP 416.10 (corporation) CCP 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other (specify):
4. by personal delivery on (date):