

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

Bryan Kobel,

Plaintiff,

vs.

Vadim Uliumdzhiev, Uber Technologies,
Inc., and Raiser, LLC,

Defendants.

IN THE COURT OF COMMON PLEAS FOR
THE NINTH JUDICIAL CIRCUIT

Case No.: 2025–CP–_____

SUMMONS

TO THE ABOVE-NAMED DEFENDANTS:

A lawsuit has been filed against you. You are hereby summoned and required to answer the Complaint in this action, of which a copy is hereby served upon you, and to serve a copy of your Answer to the Complaint to said Plaintiff’s attorney at the address listed below within thirty (30) days after the service hereof (exclusive of the day of such service). If you fail to do so, judgment by default will be rendered against you for the relief demanded in the Complaint. You also must file your Answer or Motion with the court.

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August 18, 2025

Columbia, South Carolina

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COUNTY OF CHARLESTON

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**COMPLAINT
(JURY TRIAL DEMANDED)**

Plaintiff Bryan Kobel (hereinafter referred to as “Mr. Kobel” or “Plaintiff”) alleges the following:

1. Mr. Kobel is a citizen and resident of the State of South Carolina.
2. Upon information and belief, Defendant Vadim Uliumdzhev was living and domiciled in the State of South Carolina at the time of the incident.
3. Upon information and belief, Defendant Uber Technologies, Inc. (hereinafter “Uber”) is a corporation organized and existing under the laws of the State of California.
4. Upon information and belief, Defendant Raiser, LLC (hereinafter “Raiser”) is a corporation organized and existing under the laws of the State of Delaware. Defendant Raiser is a subsidiary of Defendant Uber and holds itself out as Uber.
5. Defendant Vadim Uliumdzhev (hereinafter “The Uber Driver” or “Defendant Vadim”) was an agent, servant, or employee of Defendants Uber and/or Raiser and was acting within the course and scope of his employment at all times mentioned or referred to herein.
6. Defendants Uber and Raiser are vicariously liable for the actions and conduct of its agents, servants, and employees, under the doctrine of respondeat superior.

7. Defendants Uber and Raiser are subject to the jurisdiction of this court because Defendants transacted and continue to transact business in this State and/or distributed goods and services with the reasonable expectation that those goods and services would be used in this State, and the goods and services were used in this State. Such business operations by Defendants had an impact on the commerce of South Carolina and made it reasonably foreseeable that such transactions would have consequences in the State of South Carolina. By distributing goods and services in South Carolina, Defendants established sufficient minimum contact necessary such that they could reasonably anticipate being hauled into court in the State of South Carolina. Further, Defendants are subject to the jurisdiction of this court as having committed and continuing to commit tortious acts in whole or in part of this State. Personal jurisdiction against Defendants is proper pursuant to South Carolina's Long-Arm Statute.

8. The incident giving rise to these causes of action occurred on or about April 24, 2025, in Charleston County, South Carolina.

9. The Court has subject-matter jurisdiction over the claims in this lawsuit and personal jurisdiction over Defendants.

10. Venue is proper in Charleston County and this Court has jurisdiction over this matter.

FACTS

11. Defendants Uber and Raiser are businesses that provide car transportation service to consumers ("Riders").

12. Defendants Uber and Raiser are common carriers of passengers for hire, controlling and operating a system of car transportation services doing business in South Carolina, and were so engaged at all times pertinent hereto.

13. Riders wishing to hire Defendants Uber and Raiser's transportation service download a software application onto their smart phone. Consumers use this application to send a message to Uber indicating that the consumer wishes to purchase a ride from one destination to another.

14. Defendants Uber and Raiser electronically disseminate Riders' requests to a software application utilized by the smart phones of those driving with Uber ("Driver") in order to direct an available Driver to the Rider.

15. Defendants Uber and Raiser control the means and methods by which a Driver performs their work via the Driver's smart phone application, which constantly monitors the status, progress, and whereabouts of Uber Drivers, and also sends instructions to Drivers.

16. Defendants Uber and Raiser's smart phone applications make use of the Riders' and Drivers' global positioning systems on their phones to track the distance and time of rides and charge Riders accordingly.

17. Riders may use the Uber application to rate drivers and thereby put Uber on notice if they do not wish to be driven by a particular Driver. Defendants Uber and Raiser have the right to hire and fire Drivers.

18. Defendants Uber and Raiser pay their Drivers for the Drivers' services.

19. Defendants Uber and Raiser control the means and methods by which Drivers provide transportation to users of the Uber application.

20. Defendants Uber and Raiser dictate the fare amount and collect payment directly from Riders.

21. Defendants Uber and Raiser require Drivers to maintain a minimum acceptance rate for ride requests.

22. Defendants Uber and Raiser require specific vehicle types and safety features in order for Drivers to use the Uber Platform.

23. Defendants Uber and Raiser may impose driver conduct rules and can deactivate Drivers at will.

24. The Uber platform allows Defendants Uber and Raiser to monitor a Driver's location in real time.

25. Defendants Uber and Raiser broker "for-hire" Rider transportation services for compensation and profit, over the roads and highways of South Carolina.

26. Defendants Uber and Raiser hold themselves out to Riders as safe and professional common carriers. In particular, Defendants Uber and Raiser hold themselves out to Riders as having reliably screened and vetted its Drivers

27. Defendants Uber and Raiser advertise to the public that rides booked through the Uber platform are safe, and Drivers are thoroughly screened. These representations are made on Uber's website, app, and in marketing materials. Mr. Kobel relied, in whole or in part, on these representations in choosing to use the Uber platform.

28. At all relevant times, Defendants Uber and Raiser were acting as common carriers within the meaning of South Carolina law, undertaking for hire transport of Riders from place to place, and thereby owed Plaintiff the highest degree of care for his safety.

29. The Uber Driver, Vadim Uliumdzhev, is a Driver and employee of Defendant Uber and/or Defendant Raiser.

30. On or about April 24, 2025, Mr. Kobel ordered a ride on the Uber Rideshare mobile app. The ride was set to pick up Mr. Kobel and his guest at a restaurant parking lot near the 700

block of King Street, in Charleston, South Carolina. Mr. Kobel also had a small, leashed dog with him.

31. Mr. Kobel's small, leashed dog is a service animal.

32. Video obtained from the restaurant parking lot shows a dark colored SUV pulling into the parking lot and stopping at the side of the parking lot. The video contains no audio. (*See Exhibit A*).

33. The video shows Mr. Kobel and his guest walking up to the SUV approximately one minute later. Mr. Kobel is seen holding the small dog in his right arm.

34. Mr. Kobel opens the door for his guest, who enters the rear section of the SUV. Mr. Kobel then attempts to enter the car.

35. Shortly thereafter, Mr. Kobel's guest exits the SUV and stands beside it. Mr. Kobel can also be seen outside the vehicle.

36. Mr. Kobel and his guest walk to the side of the parking lot where Mr. Kobel looks at his phone.

37. Shortly thereafter, The Uber Driver is seen exiting the vehicle and abruptly walking up to Mr. Kobel.

38. The Uber Driver grabs Mr. Kobel by the throat and shoves him.

39. The Uber Driver then throws a punch at Mr. Kobel's head.

40. The Uber Driver next headbutts Mr. Kobel, and finally punches Mr. Kobel in the head.

41. Mr. Kobel and his small dog fall to the ground.

42. The Uber Driver gets back into the SUV and drives off, while Mr. Kobel is seen sprawled across the surface of the parking lot.

43. Mr. Kobel was left unconscious and taken to the hospital.
44. Multiple eyewitnesses called 911. (*See Exhibit B*).
45. Mr. Kobel was diagnosed with a traumatic brain injury (concussion).
46. Law enforcement informed Mr. Kobel that The Uber Driver's license was fake.
47. The Uber Driver was not legally in the United States.
48. The Uber Driver is a Russian National.
49. The Uber Driver was later arrested. (*See Exhibit C*).
50. By reason and in consequence of all Defendants' acts and/or omissions, Mr. Kobel sustained past, present, and future damages, including but not limited to:
 - a. Physical pain and suffering;
 - b. Mental anguish;
 - c. Lost enjoyment of life;
 - d. Medical expenses; and
 - e. Such other particulars as may be found through discovery or trial.

FOR A FIRST CAUSE OF ACTION
(Negligent Hiring, Training, Supervision and Retention)

51. Plaintiff incorporates by reference, as if fully set forth, each and every allegation in the preceding paragraphs.

52. Plaintiff is informed and believes that at all times relevant hereto, Defendants Uber and Raiser owed Plaintiff a duty to operate their business and transportation services with reasonable care, and as common carriers, to exercise the highest degree of care for the safety of Riders, pedestrians, and other motorists.

53. Plaintiff is informed and believes that Defendant Uber and Defendant Raiser were negligent, careless, reckless, willful, wanton, and/or grossly negligent in the following particulars:

- a. In failing to have in place policies and procedures to properly, hire, train, retain, supervise, and/or monitor its drivers, or if such procedures were in place, in choosing not to enforce them;
- b. In hiring and retaining The Uber Driver when Defendant Uber and Defendant Raiser knew or should have known The Uber Driver was unqualified;
- c. In choosing not to verify the authenticity of The Uber Driver's license and other onboarding documents;
- d. In choosing not to confirm The Uber Driver's legal authorization to operate a motor vehicle in the United States;
- e. In choosing not to ensure The Uber Driver was fit, qualified, and competent to interact safely with Uber's Riders;
- f. In permitting The Uber Driver to utilize the Uber Platform despite obvious irregularities in his hiring documentation;
- g. In failing to remove The Uber Driver from their platform when they knew or should have known he posed an unreasonable risk of harm;
- h. In failing to implement and enforce reasonable safety policies, procedures, and practices to protect Riders from foreseeable harm caused by Uber's Drivers;
- i. In failing to monitor, supervise, and control Uber's Drivers to prevent foreseeable injury to Uber's Riders;
- j. In holding themselves out to the public as having reliably screened and vetted drivers, when Defendants Uber and Raiser's screening and oversight were inadequate to protect Riders, like Mr. Kobel, from foreseeable harm;

- k. In choosing not to timely and properly respond to reports, complaints, or red flags concerning The Uber Driver's conduct, qualifications, or documentation; and
- l. In choosing not to implement or enforce reasonable verification procedures that would have uncovered the falsified documents and revealed The Uber Driver's unfitness.

54. Defendant Uber and Defendant Raiser's negligence was a proximate cause of Plaintiff's injuries and damages.

55. Plaintiff seeks actual and punitive damages under this cause of action.

FOR A SECOND CAUSE OF ACTION
(Assault and Battery)

56. Plaintiff incorporates by reference, as if fully set forth, each and every allegation in the preceding paragraphs.

57. Plaintiff is informed and believes that Defendant Vadim committed an assault upon Plaintiff in the following particulars:

- a. In approaching Plaintiff in a threatening manner;
- b. In holding his cell phone close to Plaintiff's face in an aggressive manner; and
- c. In making threatening gestures towards Plaintiff, thereby placing Plaintiff in reasonable fear of bodily harm.

58. Plaintiff is informed and believes that Defendant Vadim committed a battery upon Plaintiff by inflicting forcible contact on Plaintiff's person in the following particulars:

- a. In grabbing Plaintiff by the throat and shoving him;
- b. In throwing a punch at Plaintiff's head;
- c. In headbutting Plaintiff; and

d. In punching Plaintiff in the head a second time.

59. Defendant Vadim's conduct was unprovoked and without justification.

60. The assault and battery committed by Defendant Vadim was a proximate cause of Plaintiff's injuries and damages.

61. Plaintiff seeks actual and punitive damages under this cause of action.

WHEREFORE, Plaintiff prays that he recovers (a) a judgment against Defendants in an amount sufficient to compensate Plaintiff's actual damages as described above; (b) a judgment for an amount of punitive damages as authorized by law; (c) all costs associated with this action; and (d) such other relief as the court may deem just and proper.

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August 18, 2025

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