

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

OMAHA LLC and VULCAN CARS LLC

INDEX NUMBER: 650574/2019

vs

Plaintiff

**NEW YORK CITY TAXI AND LIMOUSINE COMMISSION and MEERA JOSHI, in
her official capacity as Chair, Commissioner and Chief Executive Officer of the
New York City Taxi and Limousine Commission**

Defendant

AFFIDAVIT OF SERVICE

State of New York }
County of New York } ss.:

The undersigned, being duly sworn, deposes and says;

Deponent is not a party herein, is over 18 years of age and resides in Sunnyside, New York

That on **1/31/2019 at 1:40 PM at 33 Beaver Street, 22nd Floor, New York, NY 10004**

deponent served a(n) **Notice of Electronic Filing, Verified Article 78 Petition, Order to Show Cause, Affidavit of Ronen Ben David in Support of Preliminary Injunction and Temporary Restraining Order, Expert Affidavit of Steven Tenn, Ph.D., Expert Affidavit of Dr. Ray Mundy, Memorandum of Law in Support of Petitioners' Article 78 Petition and application for Preliminary Injunction and Temporary Restraining Order, Affirmation of Alexander C. Drylewski with Exhibits A-M, Request for Judicial Intervention, Request for Judicial Intervention Addendum Commercial Division**

on **New York City Taxi And Limousine Commission**, a domestic corporation,

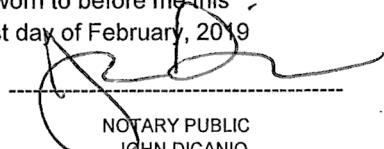
by delivering thereat a true copy of each to **Jennifer Bartholomew** personally,

deponent knew said corporation so served to be the corporation described in said documents as said defendant and knew said individual to be **authorized to accept service** thereof.

Description of Person Served:

Gender : Female
Skin : Black
Hair : Brown
Age : 22 - 35 Yrs.
Height : 5' 4" - 5' 8"
Weight : 131-160 Lbs.
Other :

Sworn to before me this
1st day of February, 2019



NOTARY PUBLIC
JOHN DICANIO
NOTARY PUBLIC STATE OF NEW YORK
WESTCHESTER COUNTY
LIC. # 01D1497768
COMM EXP. 2/11/2019


Di Cong Jiang
License No.1220800

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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OMAHA LLC and VULCAN CARS LLC, :
 :
 Petitioners, :
 :
 v. :
 :
 NEW YORK CITY TAXI AND LIMOUSINE :
 COMMISSION and MEERA JOSHI, in her official :
 capacity as Chair, Commissioner and Chief :
 Executive Officer of the New York City Taxi and :
 Limousine Commission, :
 :
 Respondents. :
----- x

Index No. 650574/2019

VERIFIED ARTICLE 78
PETITION

RECEIVED
TAXI & LIMO COMM.
LEGAL DEPARTMENT
2019 JAN 31 P 1:40

Petitioners Omaha LLC and Vulcan Cars LLC (“Petitioners”), by and through
their undersigned counsel, bring this Verified Article 78 Petition and allege the following.

INTRODUCTION

1. This Petition challenges a new rule passed by the New York City Taxi and
Limousine Commission and Meera Joshi (collectively, “Respondents” or the “TLC”) to establish
a minimum pay standard for certain ride-hail drivers in New York City (the “Utilization-Based
Rule” or “Rule”), which has been the subject of intense debate in New York City and garnered
significant media attention throughout the country.¹

¹ See, e.g., Matthew Flamm, *TLC Approves Historical Pay Rules for App-Based Drivers*, Crain’s
New York Business, Dec. 4, 2018, <https://www.crainsnewyork.com/transportation/tlc-approves-historic-pay-rules-app-based-drivers>; Mike Snider, *Uber, Lyft Rides in NYC Could Cost More Under New Minimum Wage Rule*, USA Today, Dec. 5, 2018, <https://www.usatoday.com/story/money/business/2018/12/05/uber-lyft-minimum-wage-nyc-rides-may-cost-more-under-new-rule/2212848002/>; see also Editorial, *New York’s War on Uber, Lyft and Other Ride-Sharing Companies*, Investor’s Business Daily, Dec. 7, 2018, <https://www.investors.com/politics/editorials/ride-sharing-uber-lyft-new-york/>.