

**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, NYSCEF- New York Country Supreme Court Confirmation Notice, Request for Judicial Intervention, Request for Judicial Intervention Addendum Commercial Division**

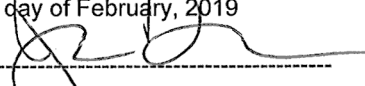
**on Meera Joshi, in her official capacity as Chair, Commissioner, and Chief Executive Officer of the New York City Taxi and Limousine Commission, accepted by Jennifer Bartholomew ,**


deponent knew the person so served to be a person authorized to accept service.

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. # 01DI497768  
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.<sup>1</sup>

<sup>1</sup> 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/>.