



## Legislation Details (With Text)

**File #:** 16-0794      **Version:** 1      **Name:** Resolution: Settlement - Uber Memorandum of Agreement

**Type:** Resolution      **Status:** Adopted

**File created:** 5/6/2016      **In control:** Law

**On agenda:** 5/10/2016      **Final action:** 5/10/2016

**Title:** Dept/ Agency: Law  
 Action:  Ratifying    Authorizing    Amending  
 Purpose: Settlement of Potential Civil Litigation  
 Docket No.: Not applicable/Pre-filing of litigation  
 Claimant: City of Newark  
 Claimant's Attorney: Department of Law, Office of the Corporation Counsel  
 Attorney's Address: 920 Broad Street, Newark, New Jersey 07102  
 Settlement Amount: An amount up to \$10,000,000.00  
 Funding Source: Not applicable  
 Additional Comments:  
 Period: Over the period of seven (7) years to ten (10) years  
 Other Parties: Rasier, LLC, and Uber USA, LLC (collectively, "Uber"), Rasier, LLC ("Rasier"), which is a Delaware limited liability company, and a subsidiary of Uber Technologies, Inc., Uber USA, LLC ("Uber USA"), which is a Delaware limited liability company and a subsidiary of Uber Technologies, Inc.

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
5/10/2016	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Law  
**Action:**  Ratifying    Authorizing    Amending  
**Purpose:** Settlement of Potential Civil Litigation  
**Docket No.:** Not applicable/Pre-filing of litigation  
**Claimant:** City of Newark  
**Claimant's Attorney:** Department of Law, Office of the Corporation Counsel  
**Attorney's Address:** 920 Broad Street, Newark, New Jersey 07102  
**Settlement Amount:** An amount up to \$10,000,000.00  
**Funding Source:** Not applicable  
**Additional Comments:**  
**Period:** Over the period of seven (7) years to ten (10) years  
**Other Parties:** Rasier, LLC, and Uber USA, LLC (collectively, "Uber"), Rasier, LLC ("Rasier"), which is a Delaware limited liability company, and a subsidiary of Uber Technologies, Inc., Uber USA, LLC ("Uber USA"), which is a Delaware limited liability company and a subsidiary of Uber Technologies, Inc.

**WHEREAS,** advances in smartphone technology and the development of ridesharing has led to the increased popularity, and reliance by consumers upon, digital network applications (Apps) that link consumers with drivers offering transportation in their own personal, non-commercial

vehicle; and

**WHEREAS**, the ridesharing industry is presently not regulated and the City, in the interests of public safety, is exploring means to best regulate the industry and desires to have an Agreement in place in the interim; and

**WHEREAS**, Uber desires to continue to operate and conduct business in the City of Newark; and

**WHEREAS**, a dispute arose between the City of Newark and Rasier, LLC, and Uber USA, LLC (collectively, "Uber"), Rasier, LLC ("Rasier"), which is a Delaware limited liability company, and a subsidiary of Uber Technologies, Inc., Uber USA, LLC ("Uber USA"), which is a Delaware limited liability company and a subsidiary of Uber Technologies, Inc., (the City and Uber are collectively referred to as "the Parties") about operations and conducting business in the City, and at Newark Liberty International Airport ("Airport"); and

**WHEREAS**, the parties desire to resolve the dispute by way of a settlement, the terms and conditions of which, are memorialized in the form of a Memorandum of Agreement ("MOA"); and

**WHEREAS**, the Mayor, the Corporation Counsel and the Municipal Council of the City of Newark believe it is in the best interest of the City of Newark to amicably resolve this dispute.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and the Corporation Counsel are authorized to enter into a Memorandum of Agreement to grant temporary authority to Rasier, LLC and Uber USA, LLC and drivers affiliated with Rasier, LLC and Uber USA, LLC to operate and conduct business in the City, including Newark Liberty International Airport.
2. The Memorandum of Agreement is ratified from April 26, 2016 to the date of adoption.
3. In exchange for the execution of the Memorandum of Agreement, acceptable in form to the Corporation Counsel and upon receipt by the Corporation Counsel and the Director of Finance of any and all other documents deemed necessary, the Director of Finance of the City of Newark is authorized to accept payment as set forth in the Memorandum of Agreement in an amount up to \$10,000,000.00 (Ten Million Dollars and Zero Cents) over a period of seven (7) to ten (10) years.
4. A fully executed copy of the Memorandum of Agreement shall be filed in the Office of the City Clerk by the Corporation Counsel.

**STATEMENT**

This resolution ratifies and authorizes the Mayor and the Corporation Counsel to enter into and execute a Memorandum of Agreement settling a dispute between Rasier, LLC and Uber USA, LLC concerning operations and conducting business in the City of Newark, and at Newark Liberty International Airport in an amount up to \$10,000,000.00 (Ten Million Dollars and Zero Cents) over a

period of seven (7) to ten (10) years.