

Lessons From Uber's Wrong Turn With A Private Investigation

[Barbara E. Hoey](#)

August 4, 2016

Partners [Barbara Hoey](#) co-authored the *Law360* article, "Lessons From Uber's Wrong Turn With A Private Investigation," which addresses the misconception during litigation of going straight to the internet to gather potentially incriminating information on the opposing side. Barbara points out, however, that the best defense is often not a good offense, and gathering irrelevant and potentially harmful information about your adversary can backfire. The authors discuss an acrimonious antitrust case against Uber, in which the car service app engaged a private investigator to look into the plaintiff, Spencer Meyer. In late 2015, Spencer Meyer brought an antitrust suit against Uber in New York, alleging that Uber's smartphone technology is an unlawful attempt to fix prices and stifle competition. The case was assigned to Judge Jed Rakoff of the New York Southern District who denied Uber's motion to dismiss the case. Barbara affirms that as lawyers "you... are responsible for your conduct [and] you are responsible for the conduct of your agents and contractors, and in litigation, everything you do matters."