



CONTACT:  
Sarah King, Marketing  
and PR Coordinator  
[sking@messalaw.com](mailto:sking@messalaw.com)  
215-568-3500

## FOR IMMEDIATE RELEASE

### **PA Superior Court Rejects Uber's Attempts to Deprive Pennsylvanians of Their Constitutional Right to a Jury Trial**

In a significant victory for Pennsylvania rideshare users, the Pennsylvania Superior Court held on Wednesday, October 12, 2022, that an Uber rider's constitutional right to a jury trial cannot be merely "clicked away" during the registration process.

In *Chilutti v. Uber Technologies, Inc., et al.*, the Superior Court determined that the trial court erred in granting Uber's Petition to Compel Arbitration where Uber failed to demonstrate the riders entered into a valid agreement to arbitrate during the registration process via a set of hyperlinked "terms and conditions" on a website or smartphone application that the riders never clicked on, viewed, or read. Under these circumstances, the Court held that the Uber riders should not be deprived of their constitutional right to a jury trial.

Upon concluding that Uber's website and application did not provide reasonably conspicuous notice of the terms to which the riders were bound, the Court further determined that the riders were not informed in an explicit and upfront manner that they were giving up a constitutional right to seek damages through a jury trial proceeding. The Court emphasized that the constitutional right to a jury trial should be afforded the greatest protection under the courts of this Commonwealth.

The Court's landmark decision is the first Pennsylvania Appellate Court decision to address waiver of a right to a jury trial in the context of any type of Internet arbitration agreement; however, it sets an important precedent in favor of safeguarding consumers from the unscrupulous practices of corporations seeking to deprive individuals of their constitutional right. This is hopefully just the start as many online platforms such as Citibank, Tinder, American Express, AT&T, and more continue to include a forced arbitration clause in their fine print, demeaning the rights of their users.

For more information, please contact Sarah King at 215-568-3500 or [sking@messalaw.com](mailto:sking@messalaw.com).

###

About Messa & Associates, P.C

Messa & Associates, P.C. represents individuals and their families in complex personal injury matters, including catastrophic injury, medical malpractice, product liability, motor vehicle



CONTACT:  
Sarah King, Marketing  
and PR Coordinator  
[sking@messalaw.com](mailto:sking@messalaw.com)  
215-568-3500

accidents, fires and explosions. Our attorneys serve Pennsylvania clients throughout the state, including in Philadelphia and other surrounding communities in Montgomery County, Chester County, Delaware County, Bucks County, and Luzerne County. Additionally, Messa & Associates are proud to serve New Jersey clients throughout that state, and also litigate selected cases throughout the country.