

Attachment 2

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**May 22 2026**  
**SC Court of Appeals**

Order Compelling Discovery, filed June 25, 2025



### Analysis

The customer list at issue here consists of some fifty-six (56) customers, who rode with the Defendant, Islam, at some point. The defense stated that Islam's driver rating was in the neighborhood of 4.9, give or take, out of five stars. The Plaintiff points out that most of those fifty-six customers did not leave a star rating for Islam after their respective rides. Most notably, one person left a comment from October of 2023, prior to the alleged incident in this case, stating that Islam tried to get into her home at some point. Lyft has objected to turning over the requested information on grounds of relevance, privacy concerns, and that the request is overbroad. It also objects on the ground that these unknown customers are not parties, and should not be interviewed.

Lyft cites the case of *Hollman v. Woolfson*, 384, S.C. 571, 683 S.E.2d 495 (2009) in support of its position. In that case, several people filed complaints against an eye surgery center, alleging malpractice, fraud, and breach of contract. *See Hollman, generally*. During the discovery process, the plaintiffs wanted other patients' records so they could contact those non-parties, and interview them as to their experience at the clinic. *Id.* "The circuit court judge found respondents' methodology by which [they have] restricted its interview requests provides a substantial basis for the relevancy. He found the ability to interview [the nonparty patients] and discuss their individual experiences at TLC along with those of [respondents] is relevant under Rule SCRCP 26[sic] and permissible except to the extent that good cause exists to restrict discovery of this information and these witnesses. The judge further found the information sought was directly related to the issues central to respondents' malpractice claims. He stated the discovery of other patients with problems and treatment similar to respondents' problems is clearly relevant since a central issue in the malpractice claims is the applicable standard of care as it evolved during and after the time of [respondents'] surgeries." *Id.*, at 579, internal quotation marks omitted.

In vacating the circuit judge's order, with regard to the negligence claims, the State Supreme Court held that "the evidence relating to treatment of the nonparty patients is irrelevant to respondents'

negligence claims in that it cannot be used to show petitioners breached the standard of care with a particular patient." *Id.* "Whether petitioners breached the standard of care with any patients other than respondents is irrelevant to whether petitioners were negligent in their treatment of respondents." *Id.* Likewise, with regards to the claims of fraud, the Court held "there is no evidence that any of the nonparty patients were victims of fraud. The treatment received by the nonparty patients is irrelevant to respondents' causes of action for fraud. Whether other patients were similarly treated does not prove any of the elements required to show fraudulent conduct by petitioners toward respondents." *Id.*, at 580.

The Court further found that the Plaintiffs "must show the information sought from the interviews is relevant and necessary to the case." *Id.*, at 578. Relevant means that "the information must be specifically relevant to the issues involved in the litigation, not merely relevant to the subject matter of the litigation." *Id.*, at 579, citing *Laffitte v. Bridgestone Corp.*, 381 S.C. 460, 674 S.E.2d 154 (2009).

In the current case before the court, the witnesses that the Plaintiff seeks to interview are not patients at a medical practice. They are customers of a ride share service who were transported from one place to another, allegedly by the same driver, Islam. They are not protected by HIPPA or any other statute. Further, the allegations against Lyft include those of negligent hiring, training, and retention of Islam by Lyft. To maintain that cause of action, Plaintiff must be able to show what Lyft knew, and when it knew it, with regard to Islam's activities. Because of this, Plaintiff has demonstrated that the information it seeks from obtaining the requested information, and conducting interviews with the Lyft riders, is both specifically relevant to at least one of its causes of action, and necessary to the case.

This is not only based upon the allegations of the plaintiff, but is also based upon certain information contained in her complaint. Most notably, in the complaint, at paragraph 16, it asserts that Lyft makes certain assertions on its website. What stands out to the court there is Lyft's emphasis on safety, in subparts a, b, and c, and the fact that it is monitoring rides for unusual activity, in subpart d.

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This sets forth Lyft's understandable concern for its customers' safety, but also seems to say that Lyft is constantly monitoring its drivers. This certainly begs the question, at least with the comment that Islam tried to get into someone's house, as to what they knew, and when.

**Conclusion and order**

At this point, the court assumes that, for the sake of argument, the riders who left a five-star review for Islam had no issues with him. The question, therefore, lies in what the riders who left no stars, or who left bad comments, experienced with Islam. For the reasons above, the Plaintiff's Motions are granted, and the court orders the following:


1. Lyft must turn over the requested information (customer list and analytic data) as to the riders who left no rating for Islam, as well as the rider who left the comment referencing Islam attempting to get into her home;
2. This information is to be turned over to a neutral third party, who shall be chosen and paid for by the Plaintiff;
3. That neutral third party shall be the entity who will conduct the interviews of the riders;
4. The interviews of the riders must be strictly limited to his or her experience with rides that were particular only to Islam;
5. If the third party discovers any evidence of wrong-doing as to his riders, by Islam, the third party shall turn that information over to the Plaintiff's counsel immediately;
6. Information about the riders must not be viewed, turned over, or used by anyone outside of the litigation team for the Plaintiff or Defendant;
7. Any information that is turned over by Lyft, as well as any information gained as a result of any interviews done by the third party will remain in the strictest of confidence.

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IT IS SO ORDERED.

25 June 2025

Horry County, South Carolina

  
The Honorable David P. Caraker, Jr.  
Resident Circuit Court Judge  
15<sup>th</sup> Judicial Circuit



## Horry Common Pleas

**Case Caption:** Jane Doe VS Md Soriful Islam , defendant, et al

**Case Number:** 2024CP2601555

**Type:** Order/Compel

IT IS SO ORDERED

s/ David P. Caraker, Jr.