

Rising Star: Morgan Lewis' Stephanie Schuster

By Nadia Dreid

Law360 (July 24, 2024, 2:02 PM EDT) -- Stephanie Schuster of Morgan Lewis & Bockius LLP helped Uber fend off claims that the ride-share application violated the Americans with Disabilities Act, a finding that was affirmed by the Ninth Circuit, earning her a spot among appellate attorneys under age 40 honored by Law360 as Rising Stars.

Her biggest case:

Actually, a group of cases.



Schuster helped Uber build a national strategy for fighting a series of lawsuits accusing it of flouting federal law requiring that its application be accessible for people with disabilities — specifically, motorized wheelchair users.

The issue was that in many smaller cities, Uber users did not have an option to request a wheelchair-accessible vehicle on the app, according to the suit; in some cases, there was an option but "the service was not good enough and therefore unequal" to the option available in major cities, Schuster said.

The strategy that Schuster helped build was a national one focusing on appellate issues that would crop up once the cases, spread across the country, made it to that stage. Schuster and her colleagues started litigating the cases in 2017 and didn't wrap up until late last year, the attorney said.

"The biggest challenge was figuring out a successful winning strategy nationwide, given the existing circuit conflict both on Article 3 standing for ADA plaintiffs and for the definition of 'place of public accommodation' under Title 3 of the ADA," Schuster said.

Her team was also grappling with a "patchwork of precedent that enables judges to give sympathetic rulings to plaintiffs when they want to," Schuster said, which made it "difficult for businesses trying to do business



Stephanie Schuster
Morgan Lewis

Age: 39
Home base: Washington, D.C.
Position: Partner
Law school: Georgetown University Law Center
First job after law school: Associate at Bingham McCutchen

across the country and state lines."

Schuster's biggest break in the litigation came late last year, when her team secured a ruling from the Ninth Circuit affirming a finding that Uber had not failed to make reasonable accommodations for wheelchair users as required by the ADA.

Privately owned wheelchair-accessible vehicles are in short supply, the Ninth Circuit ruled, and there was no evidence that offering incentive payments to drivers of such vehicles would change that.

Her proudest moment:

After fighting to secure asylum for a young woman from El Salvador, Schuster had the rare opportunity to tell her client that the judge had sided with her and that she would be allowed to stay in the United States.

Schuster's client was gay and had been repeatedly targeted and assaulted by the police in her home country because of it. She'd already been in the country for two years and had been working, but didn't speak much English.

"We went through a full-blown hearing, and at the end of the hearing, the immigration judge came out and read her decision from the bench," Schuster said. "The translator had stopped translating, so when I realized this I turned to her and said, 'We won.'"

Seeing the relief flood over her client's face was definitely "one of my proudest moments," she said.

Why she chose appellate law:

Above all, Schuster said she likes to "get to the best answer" and loves all the moving parts of litigation. But there's just something about "the challenge of working from a sort of closed universe of facts" that appeals to her.

Taking all the pieces of an appellate case and then figuring out how to make the pieces "fit the argument" is a unique challenge that she enjoys in particular, she said.

On the future of appellate law:

The U.S. Supreme Court's 6-3 decision to overturn the landmark case that gave rise to the Chevron doctrine will change so much about Schuster's work because it is "such a significant piece of appellate practice."

"Or it was," Schuster said.

Her prediction is a major uptick in challenges to government actions, now that the courts are no longer bound to give deference to an agency's interpretation of certain laws that pertain to them.

--As told to Nadia Dreid. Editing by Karin Roberts.

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of

Law360 editors selected the 2024 Rising Stars winners after reviewing nearly 1,200 submissions. Attorneys had to be under 40 as of April 30, 2024, to be eligible for this year's award. This interview has been edited and condensed.

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