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Gibson Dunn Pro Bono Team Resolves Civil Suit for Victim Dr. Bidisha Rudra Following High Profile Assault

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Gibson Dunn today announced that a pro bono team of litigators has secured a settlement on behalf of client Dr. Bidisha Rudra, who was the victim of an unprovoked and violent assault unleashed on a group of Indian American women. While the terms of the settlement were not disclosed, the matter has been resolved to the parties' satisfaction.

The suit arose from an August 24, 2022 incident in which Esmeralda Upton began an unprovoked and violent assault on Dr. Rudra and three other Indian American women, Sabori Saha, Indrani Banerjee, and Anamika Chatterjee, in the parking lot of a Plano, Texas restaurant. The attack lasted several minutes, during which Ms. Upton screamed racial epithets, struck the women, and threatened to shoot them. The victims were able to record Ms. Upton's disturbing behavior on their cell phones while they waited for police to arrive.

Media coverage of the recorded attack sparked national outrage. Following a joint state and federal investigation, Ms. Upton pleaded guilty to three criminal counts of assault and one criminal count of making terroristic threats, with each count accompanied by hate-crime enhancements.

Dr. Rudra, along with Ms. Saha, Ms. Banerjee, and Ms. Chatterjee, filed a civil suit against Ms. Upton for assault, battery, and intentional infliction of emotional distress. Gibson Dunn received Dr. Rudra's case by referral from The Alliance for Asian American Justice (The Alliance), a national pro bono organization that advocates for victims of anti-Asian hate crimes. The Alliance co-founder and Gibson Dunn partner Debra Wong Yang said: "The Alliance was formed to try to deter acts of hate but to also protect our community of AANHPIs in America and show them they are not alone. We all stand together in condemning acts of hate."

Following the civil suit settlement, Dr. Rudra looks forward to focusing on the future. Earlier this year, motivated by a desire to serve her community and bolstered by her experience working in the healthcare industry, Dr. Rudra opened the Frisco, Texas office of Senior Helpers, an organization that provides compassionate care to seniors in the Dallas-Fort Worth community while offering much-needed support for primary caregivers.

Commenting on the settlement, Dr. Rudra said: "While this settlement offers a measure of closure, the deep scar left by the racial hate crime I endured remains with me. The pain and trauma are not easily erased, and they fuel my resolve to keep fighting. This crusade against racism is far from over. I will stand as an ally and a voice for those who are too afraid or hesitant to speak out. I am also grateful to Gibson Dunn and The Alliance for Asian American Justice for their support and legal expertise in the fight against racism and bigotry. Together, we must continue the fight to eradicate racial hate and build a more just and equitable society. This journey toward justice continues—for me, for all of us."

Poonam Kumar, partner at Gibson Dunn, remarked, "Gibson Dunn is proud to have

Related People

Debra Wong Yang

Betty X. Yang

Poonam G. Kumar

Claire Piepenburg

Bina Nayee

Arjun Ogale

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represented Dr. Bidisha Rudra in the wake of this attack and throughout this multi-year litigation. While this case is now over, we look forward to continuing to work with Dr. Rudra and others in the ongoing fight against hatred and bias."

The Gibson Dunn team representing Dr. Rudra was led by partners Debra Wong Yang, Betty X. Yang, and Poonam Kumar; and included associates Claire Piepenburg, Bina Nayee, Ryan Mak, Arjun Ogale, Maya M. Halthore, Nancy Ding, and Brianna N. Banks.

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