TRAUB LIEBERMAN

NEWS & EVENTS

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Traub Lieberman Partner Gregory S. Pennington Wins Summary Judgment in Favor of Condo Owners

Related Attorneys: Gregory S. Pennington

Traub Lieberman Partner Gregory S. Pennington obtained a summary judgment in favor of two condo owners in a case brought before the Superior Court of New Jersey, Hudson County. The Plaintiff, the owner of a lower level condo unit, brought suit against the owners of an upper level condo unit for water damage sustained over several years and loss of business income for the lower unit. The Plaintiff asserted that a group of units, including the Defendants', are responsible for leaking and subsequent damages to their property. The Plaintiff declined to provide expert proof of discovery as to the origins of the leak and was unable to otherwise establish that it originated in the Defendants' unit. Plaintiff's effort to rely on the doctrine of *res ipsa loquitur* in lieu of expert analysis on causation was rejected by the Court. As a result, the Court granted summary judgment in favor of the Defendants and the complaint was dismissed, with prejudice.

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