TRAUB LIEBERMAN

NEWS & EVENTS

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Traub Lieberman Partner Colleen Hastie Wins Summary Judgment in Favor of Sub-Contracted Electrical Company

Related Attorneys:

In a case brought before the New York State Supreme Court, Kings County, Plaintiff alleged injury while performing work at a commercial premises in Brooklyn when he rolled his ankle on a jackhammered/chopped cellar floor slab while carrying a metal pipe from the main floor to the cellar on the subject premises. The property was owned by New York City entities, who were listed as Defendants in the underlying suit. A Construction Company was hired as the general contractor and construction manager for the work, who hired the Electrical Contractor to perform the main electrical fit out for the subject premises. The Electrical Contractor then hired Traub Lieberman's client, the Electrical Subcontractor, to work on cellar-level conduit, cabling, backboxes, and lighting control systems. The Electrical Contractor, as Second Third-Party Plaintiff, brought suit against the Electrical Subcontractor, as Second Third-Party Defendant, for damages related to the underlying suit.

The Electrical Subcontractor moved for an order granting summary judgment dismissing the third-party and second third-party complaint and cross claims. In addition, the Electrical Subcontractor filed a cross motion for an order dismissing the defendants cross claims on the grounds that they were not timely interposed. The court found that there was insufficient proof establishing that the Electrical Subcontractor performed the demolition work that involved floor chopping of the concrete slabs on the cellar floor. Accordingly, the Electrical Subcontractor's motion for summary judgment dismissing the third-party and second-third party complaints and cross claims was granted.

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