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Partner Colleen E. Hastie Obtains Summary Judgment On Behalf of Glass Installer in New York Labor Law Action

Related Attorneys: Colleen E. Hastie

New York partner Colleen E. Hastie recently obtained summary judgment dismissing a third-party action on behalf of its client, a glass manufacturer and installer, in New York Supreme Court, Kings County. Plaintiff alleges he was injured during the course of his employment when he stepped on a screw located on the sidewalk adjacent to a construction site. Third-party plaintiff, the general contractor for the construction site, impleaded the subcontractor seeking contractual and common law indemnification and contribution on the theory that the subject screw was used by the subcontractor in the course of its work at the project.

Prior to engaging in discovery, Traub Lieberman successfully argued third-party plaintiff could not identify the owner of the screw without relying on speculation and evidence establishes that Lynbrook's work did not utilize the type of screw involved in the incident and was exclusively performed in the interior of the building. In granting summary judgment to the glass manufacturer, the court held that plaintiff failed to produce any evidence establishing the alleged incident was caused by the glass manufacturer's conduct, and any contrary finding would be based on nothing more than speculation and conjecture.

Partner Colleen Hastie was awarded summary judgment dismissing a third-party complaint.