TRAUB LIEBERMAN

NEWS & EVENTS

September 17, 2024

Traub Lieberman Partners Lisa Rolle, Erin O'Dea, and Nicole Verzillo Win Motion for Summary Judgment in Favor of Property Owner

Related Attorneys: Lisa M. Rolle, Erin O'Dea, Nicole Verzillo

Traub Lieberman Partners Lisa Rolle, Erin O'Dea, and Nicole Verzillo won motion for summary judgment in a premises liability matter brought before the Supreme Court of the State of New York, Westchester County. The Plaintiff allegedly tripped and fell in a pothole on the common driveway of five abutting properties and sustained an injury. The firm represented one of the multiple property owners. Traub Lieberman moved for summary judgment, asserting that the claims against the firm's client should be dismissed as they did not own, operate, control or make special use of the driveway where the incident occurred. The firm also asserted that the alleged condition of the driveway that allegedly caused Plaintiff's accident was a non-actionable, trivial defect. The firm also moved to dismiss the cross-claims asserted against them, contending that there was no evidence of negligence on behalf of the firm's client. As such, the court found that the defect was a non-actionable, trivial defect. The firm secured dismissal of Plaintiff's claims against the firm's clients and against all moving and non-moving Defendants.

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