

Elizabeth Usinger and Jocelyn E. Lupetin Successfully Obtain Summary Judgment Granting a Money Judgment in the Client's Favor and Dismissing All Opposing Parties' Claims and Defenses

April 3, 2023

In a case pending in the Southern District of New York, Elizabeth Usinger and Jocelyn E. Lupetin successfully obtained summary judgment granting their client a money judgment, including pre-judgment and post-judgment interest, for breach of contract based on unpaid invoices for goods and services. The District Court also dismissed the opposing parties' claims for negligence, breach of contract, breach of warranty and unjust enrichment.

The Court found that Elizabeth and Jocelyn had demonstrated all of the necessary elements of their client's breach of contract claim and further showed that there were no material issues of fact. The opposing parties failed to demonstrate that any of their alleged affirmative defenses were sufficient to defeat the motion, or that their defenses had any merit. Moreover, the Court agreed with Elizabeth and Jocelyn in concluding that the opposing parties' causes of action should be dismissed for failure to adduce evidentiary support for any of their claims.

Based on the arguments and support put forth by Elizabeth and Jocelyn, they were able to secure a money judgment in excess of \$500,000 and resolve all additional claims in their client's favor.

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Practices

- Commercial Litigation

Attorneys

- Elizabeth Usinger
- Jocelyn E. Lupetin