



Erin Frost Successfully Obtained Summary Judgment Dismissing Plaintiff's Complaint Against the Firm's Retail Client in a Labor Law Case

May 13, 2021

Erin Frost, a partner in the firm's [General, Tort, and Insurance Litigation Department](#), successfully obtained summary judgment dismissing the plaintiff's complaint against the firm's retail client in a negligence case stemming from injuries sustained by plaintiff due to an inadvertent electrocution. Relying on the terms of the lease agreement, client affidavits and the Court's previous decisions, Cullen and Dykman argued that its client did not own, lease, operate, maintain or control the basement of the premises where the electrical equipment was located. Further, Cullen and Dykman argued that its client was not involved in any of the electrical work being done at the premises and did not have any control of or the ability to control the flow of electricity to the premises. The Court agreed with the firm's position, finding that, as lessee of the premises, the firm's client was not an appropriate defendant under the Labor Law. Additionally, the Court held that the firm's client was not negligent because it did not hire the electrical company that performed the work or have the authority to reinstate power to the premises.

Practices

- General Liability, Tort and Insurance Defense

Attorneys

- Erin R. Frost