Cullen | Dykman

John Cosgrove Obtained Summary Judgment Dismissing Plaintiff's Case Against the Firm's Beverage Distribution Client in a Motor Vehicle Accident Case

January 4, 2023

John Cosgrove, an associate in the firm's General, Tort, and Insurance Litigation Department, successfully obtained summary judgment in a motor vehicle accident case, dismissing the plaintiff's complaint against the firm's beverage distribution client. The accident occurred when the plaintiff pulled her vehicle out of a parking space and collided with a truck owned and operated by the firm's client. Relying on deposition testimony and photographs taken at the scene of the accident, Cullen and Dykman argued that the plaintiff's actions violated the New York State Vehicle and Traffic Law and were the proximate cause of the accident. After oral argument, the Court agreed with our position and found that the plaintiff was negligent in failing to determine whether it was safe to move her vehicle from its parked position into a lane of moving traffic. Accordingly, the Court issued a decision dismissing the plaintiff's complaint and awarding judgment in favor of the firm's client.

About Cullen and Dykman's General Liability, Tort and Insurance Defense Department

Our litigation attorneys represent individuals and corporations in general liability, tort and insurance defense matters ranging from personal injury and insurance coverage disputes to large-scale commercial litigation. Clients frequently engage our litigators to act as trial counsel in high-exposure cases, and we have extensive experience in appellate litigation involving liability and insurance matters.

About Cullen and Dykman

Cullen and Dykman (www.cullenllp.com) has been providing legal services to institutional clients since 1850. The firm represents a wide range of clients, including banks and other financial institutions, energy, telecommunications and water companies, construction companies, insurers, educational institutions, religious organizations, and not-for-profits. With over 190 attorneys in seven offices located throughout the Northeast and MidAtlantic regions, Cullen and Dykman is strategically positioned to meet the changing needs and demands of our clients.

Practices

- General Liability, Tort and Insurance Defense

Attorneys

- John G. Cosgrove