



# Nicholas Cardascia and John Cosgrove Successfully Obtained Summary Judgment Awarding Contractual Indemnification for the Firm's Casino Client

June 16, 2023

Nicholas Cardascia, partner, and John Cosgrove, associate of the firm's General Liability, Tort, and Insurance Defense Department successfully obtained summary judgment awarding the firm's casino client contractual indemnification against co-defendant general contractor in a labor law and premises liability case. After receiving summary judgment dismissing Plaintiff's Complaint earlier this year, Cullen & Dykman moved to re-argue the Court's decision and grant the firm's casino client summary judgment on its cross claim for contractual indemnification. Relying on the express terms of the contract, Cullen & Dykman argued that Plaintiff's accident and subsequent lawsuit triggered the general contractor's obligation to indemnify the firm's casino client. Upon review, the Court agreed with our position and found that the Plaintiff's accident arose from the acts performed by the general contractor or its subcontractors, thereby triggering its obligation to indemnify under the contract. Accordingly, the Court issued a decision granting summary judgment on the cross claim for contractual indemnification and awarded the firm's casino client reimbursement of reasonable attorneys' fees, costs and expenses incurred in defending this action.

## 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](http://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 Mid Atlantic 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

- Nicholas M. Cardascia
- John G. Cosgrove