

Nicholas Cardascia and Ryan Spitz Successfully Obtained Summary Judgment Dismissing Plaintiff's Complaint Against the Firm's Client in a Premises Liability Case

February 15, 2023

Nicholas Cardascia, a partner, and Ryan Spitz, an associate, in the firm's General Liability, Tort, and Insurance Defense Department, successfully obtained summary judgment dismissing plaintiff's complaint against the firm's client in a premises liability case. The plaintiff, a guest inside the building of which the firm's client provides laundry maintenance and repair services, allegedly slipped and fell due to a faulty washing machine. Relying on deposition testimony and maintenance records, Cullen & Dykman argued that the firm's client (1) did not owe a duty of care to the plaintiff, as a third-party vendor; and (2) did not have notice of the condition nor create it. The Court agreed with our position and found that the firm's client neither created nor had notice of the alleged dangerous condition nor owed plaintiff any duty of care, as it was never notified of the dangerous condition beforehand by the property owner. Accordingly, the Court issued a decision granting summary judgment and dismissing all causes of action against 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 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
- Ryan Spitz