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# Nicholas Cardascia, Erin Frost, and John Cosgrove Successfully Dismissed a Potential Multi-million Dollar Lawsuit Against One of the Firm's Beverage Distribution Clients

January 2, 2024

The combined efforts of Cullen and Dykman LLP partners Nicholas Cardascia, Erin Frost, and associate John Cosgrove, resulted in a tremendous appellate victory that dismissed a potential multi-million dollar lawsuit against one of the firm's beverage distribution client's.

The plaintiff pulled out of a parking position and into a lane of moving traffic, leading to a collision with a truck being driven by one of our client's employees. The appellate court fully accepted Cullen and Dykman's argument that plaintiff was the sole proximate cause of the accident in that she violated Vehicle and Traffic Law §§ 1162 and 1163, affirming the order that granted our clients summary judgment and dismissing plaintiff's complaint.

## 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
- Erin R. Frost
- John G. Cosgrove