



# Nicholas Cardascia Successfully Obtained Summary Judgment Dismissing All Claims Against the Firm's Retail Client in a High Exposure Premises Liability Case

June 13, 2023

Nicholas Cardascia, a partner in the firm's General Liability, Tort and Insurance Defense Department, successfully obtained summary judgment dismissing all claims against the firm's retail client in a high exposure premises liability case. Cullen and Dykman, relying on deposition testimony and photographs, argued that the firm's retail client owed no duty to plaintiff, an employee who was allegedly injured during the course of his employment, based on the location of the alleged accident. Plaintiff argued that there was a triable issue of fact as to whether defendants' "special use" of the area where plaintiff fell contributed to the defect. The court agreed with Cullen and Dykman's position and dismissed the 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](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