



Nicholas Cardascia Successfully Obtained Summary Judgment Dismissing Plaintiff's Labor Law and Premises Liability Case

January 26, 2023

Nicholas Cardascia, a partner in the firm's General Liability, Tort, and Insurance Defense Department, successfully obtained summary judgment dismissing plaintiff's complaint against the firm's hospitality client in a labor law and premises liability case. The plaintiff, a worker on a construction site owned by the firm's hospitality client, allegedly sustained injuries when he tripped over a piece of Masonite. Relying on deposition testimony, Cullen and Dykman argued that the firm's hospitality client (1) was not on site at the time of the plaintiff's accident; (2) was not made aware of the Masonite, and (3) was not responsible for procuring or installing the Masonite. Cullen and Dykman also argued that the Masonite was an integral part of the ongoing construction and, therefore, did not violate any provision of the Industrial Code. The Court agreed with our position and found that the firm's client neither created nor had notice of the alleged dangerous condition. Accordingly, the Court issued a decision granting summary judgment and dismissing all causes of action against the firm's hospitality 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