Cullen | Dykman

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

October 27, 2020

Nicholas Cardascia, a partner in the firm's General, Tort, and Insurance Litigation Department, successfully obtained summary judgment dismissing plaintiff's complaint against the firm's retail client in a premises liability case. Based on video evidence, Cullen and Dykman was able to establish that an unidentified object fell from another customer's shopping cart 54 seconds before plaintiff walked over the same area and slipped and fell. Moreover, the customer from whose cart the object fell remained in the area during the entire 54 seconds and did not report the fallen object to any store personnel. Thus, Cullen and Dykman showed that its client did not have actual or constructive notice of the condition that caused plaintiff to fall.

Practices

- Premises Liability

Attorneys

- Nicholas M. Cardascia