



Partner Diana Neyman Successfully Obtained an Appellate Win in a Premises Case

November 23, 2022

Partner Diana Neyman obtained a favorable decision from the Appellate Division, First Department, that secured a lower court win, where Diana's client was awarded summary judgment on liability. The plaintiff claimed that he slipped and fell within an internal staircase of an apartment building due to an allegedly wet and/or slippery condition, sustaining a patella fracture and tendon rupture, treated with patella fracture fragments excision, tendon reinsertion, open reduction internal fixation surgery and subsequent arthroscopic surgery involving retinacular release, synovectomy, limited chondroplasty and meniscectomy.

Diana was successful in demonstrating that her client did not have notice of the alleged condition and had a proper and reasonable inspection and cleaning routine in place to address such conditions. Diana was also able to rebut plaintiff's arguments including an expert affidavit setting forth a new theory of liability that alleged inadequate coefficient of friction of the floor in question. Based on Diana's arguments and submissions to the Appellate Court, she secured another win for her 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

- Diana Neyman