

# Partner Nicholas Cardascia Successfully Defeated Plaintiff's Appeal in a Premises Liability Case

March 24, 2022

Nicholas Cardascia, a partner in the firm's General, Tort, and Insurance Litigation Department, successfully defeated plaintiff's appeal from the order that granted summary judgment and dismissed the complaint against the firm's commercial property owner in a premises liability case. Plaintiff claimed he fell from a ladder while performing construction work in a commercial building. When he applied for workers' compensation benefits, however, the Workers' Compensation Board disallowed the claim and found that the injuries complained of were sustained when plaintiff left a moving vehicle. The appellate division agreed with our position that plaintiff's lawsuit was barred by the doctrine of collateral estoppel as the issues decided by the Workers' Compensation Board were identical to those in the Supreme Court action.

## About Cullen and Dykman's General, Tort and Insurance Litigation 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 MidAtlantic 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