

VerdictSearch

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Verdicts  
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\$350,000 Personal Injury:  
Past Lost Earnings Capability  
\$1,500,000 Personal Injury:  
Past Loss Of Services  
\$3,500,000 Personal Injury:  
future loss of services (31.7 years)  
Diane Manganiello  
\$245,000 Personal Injury:  
Past Lost Earnings Capability  
\$2,500,000 Personal Injury:  
Past Pain And Suffering  
\$19,500,000 Personal Injury:  
future medical and rehabilitative  
services (31.7 years)  
\$1,150,000 Personal Injury:  
future lost earnings (15 years)  
\$5,000,000 Personal Injury:  
future pain and suffering  
(31.7 years)

**Post Trial:** Defense counsel has moved to set aside the verdict. Bon Secours Community Hospital's counsel claimed that plaintiffs' counsel did not present a prima facie case or, in the alternative, that there were numerous errors, including plaintiffs'

counsel adding a new expert on the day of opening statements.

**No 4. Dummitt v. A.W. Chesterton**

**Products Liability:**  
Former U.S. Navy man linked mesothelioma to asbestos  
**Verdict:** (P) \$32,000,000.00  
**Case Type:** Failure to Warn, Products Liability - Asbestos  
**Case Name:**  
Ronald Dummitt and Doris Kay Dummitt v. A.W. Chesterton et al., No. 190196/10

**Venue:** New York Supreme, NY  
**Judge:** Joan A. Madden  
**Date:** 08-17-2011  
**Plaintiff(s) Attorney(s):**

Bryan Belasky, Belluck & Fox, L.L.P., New York, NY, for Ronald Dummitt, Doris K. Dummitt; Seth A. Dymond, Belluck & Fox, L.L.P., New York, NY, for Ronald Dummitt, Doris K. Dummitt; Jordan C. Fox, Belluck & Fox, L.L.P., New York, NY, for Ronald Dum-

mitt, Doris K. Dummitt; James C. Long, Jr., Belluck & Fox, L.L.P., New York, NY, for Doris K. Dummitt, Ronald Dummitt; William N. Papain, Belluck & Fox, L.L.P., New York, NY, for Ronald Dummitt, Doris K. Dummitt  
**Expert(s):**

Richard Hatfield, Materials Science, Atlanta, GA called by: James Long; Jordan Fox, Bryan Belasky, Seth Dymond, William Papain, Barry Castleman Sc.D., Asbestos-related Lung Disease, Garrett Park, MD called by: James Long; Jordan Fox, Bryan Belasky, Seth Dymond, William Papain, Jacqueline Moline M.D., Occupational Medicine, New York, NY called by: James Long; Jordan Fox, Bryan Belasky, Seth Dymond, William Papain

**Facts:** In April 2010, plaintiff Ronald Dummitt, 67, a former boiler tender for the U.S. Navy, was diagnosed with pleural mesothelioma. Dummitt claimed that he developed mesothelioma as a result of his exposure to asbestos while serving aboard seven U.S. Navy ships between 1960 and 1977, during which he worked in the

boiler and fire rooms in each vessel. Manganiello's condition had improved significantly by the following morning, and she was sitting up in bed and talking with her family. Her condition continued to improve into the following day until approximately 2 p.m., when she told her husband that she wanted to take a nap. When she awakened, she had lost the ability to speak and developed quadriplegia. She eventually became comatose.

Dummitt sued a number of defendants, including A.W. Chesterton, Crane Co. and Elliott Turbomachinery for products liability, alleging failure to warn. A.W. Chesterton and all other defendants were either dismissed or settled.

Dummitt claimed that he was exposed to asbestos from his work repairing Crane valves, which included removing and replacing asbestos-containing lagging pads, gaskets and packing on each of the ships. He contended that he was also exposed

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**Construction Accident**

| CASE   | DATE  | COURT            | TYPE OF ACTION  | PLAINTIFF'S COUNSEL   | AMOUNT      |
|--|-------|------------------|---|---|-------------|
| Espin v. Gouzoz                                      | 10/21 | Kings Civil      | Labor Law: Worker's fall from scaffold caused face and spine fractures                        | Scott A. Steinberg, New York, NY of Greenberg & Stein P.C.  | \$2,086,000 |
| Chrabaszcz v. Western Loft Equities LLC              | 4/11  | New York Supreme | Labor Law: Worker broke heel in 6-foot fall from scaffold                                     | David H. Perecman & Steven M. Weinstein, New York, NY of The Perecman Firm, PLLC  | \$2,000,000 |
| Baker v. KeySpan Gas East Corp.                      | 9/13  | Nassau Supreme   | Labor Law: Construction worker hurt when trench collapsed                                     | Michael S. Lamonsoff, New York, NY of Law Offices of Michael S. Lamonsoff   | \$1,975,000 |
| Santana v. Union Withers Realty, LLC                 | 8/1   | Kings Supreme    | Labor Law: Welder hit by falling beam, sustained fractures of arm                             | Jeffrey L. Goodman, New York, NY of Law Offices of Jeffrey L. Goodman, P.C.; Ronald J. Landau, New York, NY of Mirman, Markovitz & Landau     | \$1,750,000 |
| Medina v. 119 Chambers LLC                           | 3/2   | New York Supreme | Labor Law: Worker claimed 10-foot fall caused spinal injuries                                 | James J. McCrorie, New York, NY of Fanning & McCrorie, P.C.   | \$1,750,000 |
| Alvarez vs. 1407 Broadway Real Estate, LLC           | 11/30 | New York Supreme | Labor Law: Scaffold lacking outriggers tips as plaintiff climbs, multiple fractures sustained | Stanley A. Tomkiel, III, New York, NY, Tomkiel & Tomkiel, PC  | \$1,625,000 |
| Pleace v. Chesapeake Appalachia, LLC                 | 9/23  | Niagara Supreme  | Labor Law: Worker struck by board that fell from above building's entrance                    | A. Angelo DiMillo & George V.C. Muscato, Lockport, NY of Muscato, DiMillo & Vona  | \$1,576,000 |
| Merriman v. Integrated Building Controls Inc.        | 9/7   | Queens Supreme   | Labor Law: Fall from ladder caused ankle, head injuries, worker claimed                       | Gerard N. Misk, Queens, NY of Ginsburg & Misk   | \$1,500,000 |
| Martinez v. Tishman Construction Corp.               | 2/16  | Queens Supreme   | Labor Law: Falling beam struck demolition worker, fractured leg                               | Frederick C. Aranki & Daniel P. O'Toole, New York, NY of Block O'Toole & Murphy, LLP  | \$1,500,000 |
| Kilenovic v. 34 Leonard Residential Construction LLC | 8/18  | New York Supreme | Labor Law: Laborer: Goggles didn't protect against eye injury                                 | Michael J. Hurwitz, New York, NY of David Horowitz, P.C.  | \$1,500,000 |
| Chacha v. Carsal Associates Inc.                     | 12/14 | Kings Supreme    | Labor Law: Demolition worker hurt when building's roof collapsed                              | Martin Grossman, New York, NY of Robert A. Cardali & Associates   | \$1,475,000 |
| Vassell v. Lexington Hotel, LLC                      | 5/17  | Kings Supreme    | Labor Law: Worker claimed foreign object permanently damaged his eye                          | Seth A. Harris & Alison Keenan, New York, NY of Burns & Harris  | \$1,200,000 |
| Lema v. New York Hospital Medical Center of Queens   | 4/29  | Queens Supreme   | Labor Law: Demolition workers hurt when chimney collapsed                                     | Mark Keller, Elmhurst, NY of Abramson & Keller, P.C.; Jon L. Norinsberg, Bronx, NY of Norinsberg LLP; Alex Umansky of counsel, Norinsberg LLP | \$1,200,000 |



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Melissa was placed in an ambulance, and she was transported to Flushing Hospital Medical Center. She underwent debridement, the application of grafts of skin and other surgeries, and she later developed infections, pneumonia and post-traumatic stress disorder. She has developed a residual contracture of one wrist, and the condition will necessitate additional surgeries. She also bears residual scars of her body, face and legs.

Melissa's mother sought recovery of \$175,374 for Melissa's past medical expenses, an unspecified amount for Melissa's future medical expenses, and damages for Melissa's past and future pain and suffering. She also sought recovery of damages for her loss of Melissa's services.

Defense counsel contested the extent of Mr. Zaldumbide's suffering and the extent of Melissa's future medical needs.

**Verdict Information:** The parties negotiated a pretrial settlement. Con-

solidated Edison agreed to pay \$25 million, which constituted the entire settlement. Melissa's share totaled \$20 million; the estate's share totaled \$4.75 million, which included \$750,000 for Mr. Zaldumbide's mental anguish and \$4 million for his wrongful death; and Ms. Zaldumbide's share totaled \$250,000, which included \$150,000 for her loss of her daughter's services and \$100,000 for her loss of her husband's services.

**No 7. Speed V. Six Flags**

**Employment:**

Six Flags contract breached and ruled fraudulent, arbitrator finds

**Verdict:** (P) \$23,000,000 plus interest & tatty fees

**Case Type:** Labor & Employment; Contracts; Fraud

**Case Name:**

Jeff Speed v. Six Flags, Inc.

**Venue:** American Arbitration Association, New York, NY

**Judge:** Hon. George C. Pratt

**Date:** 04-21-2011

**Plaintiff(s) Attorney(s):**

Douglas H. Wigdor & Gregory N. Filosa, New York, NY of Thompson Wigdor & Gilly LLP

**Facts:** From April 1, 2006 to Oct. 6, 2010 plaintiff Jeffrey Speed, was the Chief Financial Officer for Six Flags, Inc. During his tenure he and other executives oversaw the company's emergence from bankruptcy.

As part of the bankruptcy emergence process, the controlling shareholders conditioned their approval of the bankruptcy plan on Speed entering into an amended contract. The contract was amended to say that the new board of directors and the Chief Executive Officer of the company would determine the amount of equity that was to be provided to Speed promptly upon emergence from bankruptcy.

Before Speed entered into the amended contract, former Six Flags CEO, Mark Shapiro, promised to award Speed at least the amount of

equity included in his April 1, 2009 contract. Speed signed the contract amendment on April 1, 2010. In May 2010, approximately 11 days after the emergency from bankruptcy, Shapiro was terminated from his CEO position.

On July 13, 2010, the board and the interim CEO offered to award Speed restricted stock units and options that were significantly less - greater than \$10 million - than and the amount and terms agreed to by the previous CEO. The offer also included different condition than those agreed to by Shapiro, including a new vesting schedule and a new definition of cause and good reason for termination. Speed sued Six Flags, Inc. alleging that he was defrauded when he entered into the amended employment agreement.

Speed argued that Six Flags was planning to fire Shapiro before negotiations began on the amended contract, and therefore the company did not plan to honor the conditions

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**Employment**

| CASE                          | DATE | COURT                         | TYPE OF ACTION   | PLAINTIFF'S COUNSEL  | AMOUNT    |
|-------------------------------|------|-------------------------------|--|--|-----------|
| Williams v. City of New York  | 2/23 | U.S. District Court, E.D.N.Y. | Race Discrimination: Police officer claimed male sergeant harassed her     | Eric Sanders, New York, NY of The Eric Sanders Firm, P.C.                  | \$131,500 |
| Miller v. New York University | 11/7 | New York Supreme              | Compensation: Executive's title change not a termination, school contended | Robert D. Kraus & Geoffrey A. Mort, New York, NY of Kraus & Zuchlewski LLP | \$60,000  |

**Equitable Relief**

| CASE            | DATE | COURT         | TYPE OF ACTION   | PLAINTIFF'S COUNSEL                          | AMOUNT   |
|-----------------|------|---------------|--|--|----------|
| Ashfaq v. Raheb | 5/31 | Kings Supreme | Unjust Enrichment: Seller of car dispatch firm took back ownership | Steven B. Ross, New York, NY of Ross & Asmar | \$50,000 |

**Government**

| CASE                         | DATE | COURT                         | TYPE OF ACTION  | PLAINTIFF'S COUNSEL   | AMOUNT    |
|------------------------------|------|-------------------------------|---|---|-----------|
| Roberts v. City of New York  | 5/19 | Bronx Supreme                 | Excessive Force: Policemen maced suspect as he choked on bag of crack           | Donte O. Mills, New York, NY of Sullivan Papain Block McGrath & Cannavo, P.C.   | \$850,000 |
| Sanabria v. City of New York | 3/29 | Bronx Supreme                 | Excessive Force: Plaintiff claimed undercover officers beat him for no reason   | Steven Wildstein, Great Neck, NY  | \$500,000 |
| Eidt v. City of Long Beach   | 1/31 | Nassau Supreme                | Pensions: Firefighters on disability claimed payments were low                  | Christina Panzarella, Long Beach, NY of Aramanda & Panzarella, P.C.; Leo F. McGinity, Jr., Garden City, NY of McGinity & McGinity, P.C. | \$402,294 |
| Spillman v. City of Yonkers  | 3/25 | U.S. District Court, S.D.N.Y. | Excessive Force: Plaintiff claimed police officers beat him during traffic stop | Mathew Paulose Jr., Bronx, NY of Schaeffer Paulose LLP  | \$175,000 |
| Pressley v. City of New York | 7/29 | New York Supreme              | Excessive Force: Arrestee claimed police caused permanent jaw damage            | Christopher J. Donadio, New York, NY of Burns & Harris  | \$15,000  |

### Intentional Torts

| CASE                                   | DATE  | COURT               | TYPE OF ACTION  | PLAINTIFF'S COUNSEL  | AMOUNT       |
|--|-------|---------------------|---|--|--------------|
| Callegari v. Davis & Partners, LLC     | 11/2  | New York Supreme    | Non-Labor Law: Union worker sues after he was stabbed on jobsite                                      | Patrick F. Bisogno, Brooklyn, NY of Bisogno & Meyerson L.L.P.  | \$11,333,602 |
| Bellus v. Ice Entertainment Group Inc. | 5/9   | Suffolk Supreme     | Assault: Nightclub's patron claimed he was drawn into brawl   | Robert T. Samson, Bay Shore, NY of Siben & Siben, LLP  | \$3,022,560  |
| McCauley v. Nigro                      | 1/21  | Westchester Supreme | Assault and Battery: Partygoer blind as a result of attempt to break up fight                         | Richard S. Vecchio, White Plains, NY of Worby Groner Edelman L.L.P.  | \$2,000,000  |
| Estate of Toribio v. Battle            | 10/18 | New York Supreme    | Assault and Battery   Collateral Estoppel: Father of firebombing victim sued "Cuban Mafia" higher-ups | Ahmed A. Massoud & Lisa Pashkoff, New York, NY of Massoud & Pashkoff, LLP  | \$1,498,600  |
| Maier v. Rapture                       | 8/3   | Suffolk Supreme     | Assault and Battery:  | Denny Brown, Ronkonkoma, NY of Gruenberg & Kelly, LLP  | \$750,000    |
| Jules v. Polny Restaurant Corp.        | 1/14  | Kings Supreme       | Assault: Restaurant not liable for fight that left patron hurt  | Henry J. Achiron, New York, NY of Marder Eskesen & Nass  | \$556,700    |
| Fabian v. City of New York             | 12/9  | New York Supreme    | False Arrest: Investigators didn't look past fingerprints, arrestee claimed                           | Joseph S. Bavaro, New York, NY of Salenger, Sack, Schwartz & Kimmel, LLP   | \$400,000    |
| Pierre v. City of New York             | 4/21  | Kings Supreme       | False Arrest: Arrestee claimed jail attendant punched him after using slur                            | Jonah Grossman, Jamaica, NY of Jonah Grossman, Esq.  | \$305,000    |
| Thomson v. Steinberg                   | 7/8   | Orange Supreme      | Trespass: Homeowners claimed neighbor cut down hundreds of their trees                                | Anthony M. DeFazio & Kenneth M. Stenger, Wappinger Falls, NY of Vergilis, Stenger, Roberts, Davis & Diamond, LLP | \$287,690    |
| Martire v. City of New York            | 5/13  | New York Supreme    | Battery: Plaintiff claimed he was beaten while trying to stop rough arrest                            | Christopher J. Donadio, New York, NY of Burns & Harris   | \$250,000    |
| Stram-Delacruz v. Lam                  | 5/20  | Westchester Supreme | Battery: Landlord-tenant scum ended with tenant being bound   | Stanley A. Tomkiel, III, Scarsdale, NY of Tomkiel & Tomkiel PC   | \$100,000    |
| Cruz v. Nieves                         | 2/1   | Bronx Supreme       | Discrimination - Sexual Preference: Apartment's tenant claimed superintendent harassed him            | Katherine R. Rosenfeld & Mariann Meier Wang, New York, NY of Emery Celli Brinckerhoff & Abady LLP                | \$35,000     |
| Loudis v. Either                       | 8/16  | Albany Supreme      | Fraudulent Concealment: Home's sellers didn't disclose mold, infestation, suit alleged                | Steven D. Farer, Latham, NY of The Law Offices of Farer & Schwartz PC  | \$27,750     |
| Bernier v. Peters                      | 3/14  | Ulster Supreme      | Assault and Battery: Partygoer claimed host slapped him, damaged eye                                  | David J. Clegg, Kingston, NY   | \$25,000     |
| Epstein v. John Wiley & Sons Inc.      | 1/25  | New York Supreme    | Intentional Misrepresentation: Book publisher denied accepting author's manuscript                    | John A. Dalley, New York, NY   | \$25,000     |
| Morton v. McKenna                      | 5/25  | Albany Supreme      | Assault: Police-department clerk alleged officer pointed loaded gun at her                            | Mark D. Greenberg, New York, NY of Greenberg & Greenberg   | \$23,384     |
| O'Neill v. Brunet                      | 9/26  | Ulster Supreme      | Assault: Man hurt in bar fight retains scar of face   | Bruce D. Blatchly, New Paltz, NY of Blatchly & Simonson, P.C.  | \$10,000     |

### Landlord Tenant

| CASE              | DATE  | COURT               | TYPE OF ACTION  | PLAINTIFF'S COUNSEL                                    | AMOUNT  |
|-------------------|-------|---------------------|---|--|---------|
| Brown v. Benedict | 11/15 | Westchester Supreme | Breach of Lease: Renters walked out on lease, landlords claimed | William J. Florence, Peekskill, NY of Florence & Smith | \$6,649 |

### Legal Malpractice

| CASE                   | DATE | COURT            | TYPE OF ACTION   | PLAINTIFF'S COUNSEL  | AMOUNT    |
|------------------------|------|------------------|--|--|-----------|
| Litchfield v. Altschul | 12/6 | New York Supreme | Malpractice: Tenants claimed attorney gave bad advice regarding rent dispute | Roger J. Bernstein, New York, NY                             | \$110,000 |
| Falso v. Kirwan        | 12/7 | Lewis Supreme    | Malpractice: Law firm too late with filing of child-support claim            | James G. DiStefano, Syracuse, NY of James G. DiStefano, Esq. | \$51,381  |

### Motor Vehicle Accident - Bus

| CASE                                       | DATE | COURT            | TYPE OF ACTION  | PLAINTIFF'S COUNSEL  | AMOUNT    |
|--|------|------------------|---|--|-----------|
| Metayer v. New York City Transit Authority | 4/15 | New York Supreme | Bus: Bus's driver closed doors too quickly, plaintiff claimed | Justin S. Blash, New York, NY of The Blash Firm, PLLC, New York, NY, trial counsel, Asher & Associates, P.C. | \$152,764 |
| Fludd v. City of New York                  | 3/21 | Kings Supreme    | Bus: Bus stop marred by dangerous pothole, plaintiff claimed  | Brian M. King, New York, NY of New York, NY, trial counsel, Burns & Harris                                   | \$85,000  |

### Motor Vehicle Accident - Left Turn

| CASE   | DATE  | COURT               | TYPE OF ACTION  | PLAINTIFF'S COUNSEL   | AMOUNT      |
|--|-------|---------------------|---|---|-------------|
| Combs v. Ward                                    | 6/13  | Saratoga Supreme    | Left Turn: Bartender blamed for drunken driver's accident                     | David F. Everett, New York, NY of David F. Everett, P.C.  | \$3,850,000 |
| Kravets v. Metropolitan Transportation Authority | 10/25 | Kings Supreme       | Left Turn: Auto accident due to bus driver's failure to yield, suit alleged   | Frederick C. Aranki & Daniel P. O'Toole, New York, NY of Block O'Toole & Murphy, LLP  | \$3,000,000 |
| Cassins v. Boro Wide Busses Inc.                 | 11/7  | Kings Supreme       | Left Turn: Turning bus driver should have yielded, plaintiff claimed          | Stephen J. Murphy & David L. Scher, New York, NY of Block O'Toole & Murphy, LLP   | \$1,490,000 |
| Garcia v. Monessa                                | 9/13  | Kings Supreme       | Left Turn: Car crash led to spinal fusion, plaintiff claimed                  | Timothy M. Sullivan, New York, NY of The Sullivan Law Firm  | \$900,000   |
| Garden v. City of New York                       | 3/1   | Bronx Supreme       | Left Turn: Street sweeper's wide turn caused accident, suit alleged           | Glenn Auletta, Ronkonkoma, NY of Gruenberg & Kelly, P.C.  | \$500,000   |
| Alicea v. Ferrandino                             | 2/10  | Nassau Supreme      | Left Turn: Car accident led to spinal surgery, plaintiff claimed              | Todd A. Restivo, Garden City, NY  | \$285,000   |
| Williams v. Biruk                                | 1/24  | Westchester Supreme | Left Turn: Motorist's hasty turn caused crash, plaintiff claimed              | Rachel F. Ciccone, New Rochelle, NY of Marcus, Ollman & Kommer LLP  | \$250,000   |
| Caceres v. Norris                                | 6/23  | Queens Supreme      | Left Turn: Motorist's hasty turn caused crash, plaintiffs claimed             | Michael Dreishpoon, Forest Hills, NY  | \$214,375   |
| Novoselov v. Nguyen                              | 11/3  | Kings Civil         | Left Turn: Multi-car crash caused by motorist's hasty turn, suit alleged      | Seth Katz, Brooklyn, NY of The Law Office of William Pager  | \$107,500   |
| Burell v. Birkmier                               | 7/12  | Suffolk Supreme     | Left Turn: Turning motorist didn't notice teen on scooter, suit alleged       | Robert R. Arena, Astoria, NY of Robert R. Arena, Esq.   | \$97,500    |
| Grant v. Park                                    | 11/15 | Queens Supreme      | Left Turn: Car crash's parties debated driver's sobriety                      | Steven Louros, New York, NY; Edmond C. Chakmakian, Hauppauge, NY of Law Offices of Edmond C. Chakmakian, P.C.; Joseph Endzweig, Great Neck, NY of Samanowitz & Endzweig | \$87,500    |
| Kalu v. Romelus                                  | 5/9   | Kings Supreme       | Left Turn: Motorist's hasty turn caused crash, plaintiff alleged              | Julio Cesar Roman, Forest Hills, NY of Elliot Ifraimoff & Associates  | \$65,000    |
| Amann v. O'Gara                                  | 5/10  | Suffolk Supreme     | Left Turn: Car crash caused injuries of knee, spine, chest, plaintiff claimed | Ian M. Sack, Islandia, NY of Davis & Ferber, LLP  | \$50,000    |

### Motor Vehicle Accident - Motorcycle

| CASE                                | DATE | COURT            | TYPE OF ACTION   | PLAINTIFF'S COUNSEL  | AMOUNT       |
|-------------------------------------|------|------------------|--|--|--------------|
| Roth v. Capizzuto                   | 7/18 | Suffolk Supreme  | U-Turn: Motorcyclist permanently homebound after crash                   | Leonard J. Tartamella, Hauppauge, NY of Law Offices of Leonard J. Tartamella   | \$10,000,000 |
| DeLuca v. Cerda                     | 2/3  | Nassau Supreme   | Motorcycle: Driver's hasty exit caused crash, motorcyclist claimed       | Anthony J. Montiglio, Mineola, NY; Raymond C. Baierlein, Westbury, NY, trial counsel, Alexander Sklavos                                  | \$5,550,000  |
| Russell v. Hughes                   | 4/8  | Ulster Supreme   | Left Turn: Motorcycle accident caused brain damage, plaintiff alleged    | Richard Greenblatt, Poughkeepsie, NY of Rutberg & Associates, P.C.   | \$469,731    |
| Stewart v. Ellison                  | 1/18 | Bronx Supreme    | Motorcycle: Car's driver claimed he couldn't avoid skidding motorcyclist | Steven J. Zaloudek, New York, NY of Paul B. Weitz & Associates PC  | \$400,000    |
| Chaikin v. The City of New York     | 3/11 | New York Supreme | Motorcycle   | Frederick C. Aranki & Daniel P. O'Toole, New York, NY of Block O'Toole & Murphy, LLP, trial counsel to the law offices of Bradley Gillam | \$300,000    |
| Schneider v. Home Depot U.S.A. Inc. | 6/23 | Queens Supreme   | Motorcycle: Trucker's lane change caused crash, motorcyclist alleged     | Neil Flynn, Garden City, NY of Paul Ajlouny & Associates   | \$125,000    |
| Dobson v. Yuhasz                    | 8/9  | Niagara Supreme  | Motorcycle: Motorcyclist struck car, claimed driver should have yielded  | Richard A. Hall, Buffalo, NY of Law Offices of William Mattar  | \$25,000     |

### Motor Vehicle Accident - Negligent Operation

| CASE                         | DATE | COURT         | TYPE OF ACTION   | PLAINTIFF'S COUNSEL  | AMOUNT       |
|------------------------------|------|---------------|--|--|--------------|
| Turturro v. City of New York | 5/26 | Kings Supreme | Speeding: City didn't slow speeding drivers, accident's victim alleged | Robert J. Walker, Mineola, NY of Gallagher, Walker, Bianco & Plastaras | \$36,161,798 |

### Motor Vehicle Accident - Pedestrian

| CASE                                    | DATE | COURT            | TYPE OF ACTION  | PLAINTIFF'S COUNSEL   | AMOUNT    |
|---|------|------------------|---|---|-----------|
| Grinnage v. Flatrate Transportation LLC | 1/28 | Kings Supreme    | Pedestrian: Livery cab bumped other cab, toppling fare                        | Richard M. Levy, Brooklyn, NY of Rubenstein & Rynecki   | \$125,000 |
| Milonis v. Tietze                       | 7/29 | Nassau Supreme   | Pedestrian: Woman hit by car, claimed fractures of spine                      | L. Michael Davicino, Huntington Station, NY of Cannon & Acosta LLP                                  | \$120,000 |
| Pope v. Doe                             | 4/1  | Bronx Supreme    | Pedestrian: Plaintiff struck by car, claimed injuries of back, shoulder       | Daniel S. Berke, New York, NY, trial counsel to Scott Inwald, Fort Lee, NJ                          | \$105,000 |
| Guy v. O'Brien                          | 8/12 | Richmond Supreme | Pedestrian: Man hit by car, claimed injury ended hope of basketball career    | Patrick F. Bisogno, Brooklyn, NY of Bisogno & Meyerson  | \$100,800 |
| Gilfedder v. Super Josh Cab Corp.       | 6/14 | Kings Supreme    | Pedestrian: Cabbies traded blame for crash that ended with injured pedestrian | Barry Montrose, New York, NY, trial counsel to Robyn M. Brilliant, New York, NY                     | \$100,000 |
| Wallace v. Bryson                       | 2/4  | Queens Supreme   | Pedestrian: Car's owners liable for thief's injurious jaunt, suit alleged     | Joel A. Horowitz, New York, NY of Burns & Harris  | \$100,000 |
| Broadway v. New Mega Limo Car Service   | 2/14 | Kings Supreme    | Pedestrian: Plaintiff claimed taxi backed into her on one-way street          | Stephen H. Jacobson, New York, NY of Hecht Kleeger Pintel & Damashek                                | \$100,000 |
| Henderson v. Arnold                     | 9/6  | Oneida Supreme   | Pedestrian: Plaintiff hit by SUV, claimed permanent shoulder injury           | Victoria Lieb Lightcap, Liverpool, NY of Finkelstein & Partners LLP                                 | \$100,000 |
| Portillo v. Franco                      | 2/22 | Queens Supreme   | Pedestrian: Woman claimed she was hit by car, hurt back and knee              | Steven L. Kaplan, Melville, NY of Kaplan & Kaplan, P.C.   | \$100,000 |
| Semple v. Rocio                         | 6/9  | Kings Supreme    | Pedestrian: Teen hit by car, claimed she sustained injuries of spine          | Gencian Gjoni, New York, NY of Raphaelson & Levine Law Firm P.C.                                    | \$98,000  |
| Ritsch v. Azad                          | 8/12 | Kings Supreme    | Pedestrian: Plaintiff claimed car mounted sidewalk and struck her             | Brad A. Kauffman, New York, NY of Law Offices of Brad A. Kauffman                                   | \$95,000  |
| Baskin v. Giannini                      | 3/9  | Kings Supreme    | Pedestrian: Motorist didn't yield right of way, injured pedestrian claimed    | Avi D. Caspi, Brooklyn, NY of Law Offices of Avi D. Caspi PLLC, trial counsel, Gary R. Weinberg, PC | \$80,000  |
| Kenmochi v. Twin Marquis Inc.           | 6/24 | Kings Supreme    | Pedestrian: Motorist claimed umbrella-toting woman bumped into his car        | Joshua Lockamy, Flushing, NY of Mallilo & Grossman  | \$75,000  |



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## Negligence

| CASE   | DATE        | COURT                | TYPE OF ACTION   | PLAINTIFF'S COUNSEL   | AMOUNT             |
|--|-------------|----------------------|--|---|--------------------|
| Roe v. Little Flower Children's Services of New York | 3/23        | Bronx Supreme        | Child Care Agency/Worker: Siblings claimed they were abused in foster home                 | Adam M. Orlow, Flushing, NY of The Orlow Firm   | \$2,750,000        |
| Maxwell v. Rockland County Community College         | 1/21        | Rockland Supreme     | Negligent Repair: Shoddy repair led to aerial lift's failure, worker's 35-foot fall        | Stewart A. Rosenwasser, Montgomery, NY of Rosenwasser Law P.C.                                      | \$2,500,000        |
| Llevano v. Roosevelt Hotel Corporation               | 4/6         | New York Supreme     | Hotel - Negligent Security: Tourist was pistol-whipped, robbed in her NYC hotel room       | Theodore H. Friedman, New York, NY; Bruce K. Kaye, New York, NY of Barasch McGarry Salzman & Penson | \$1,976,000        |
| <b>Roimesher v. 770 Lexington Assocs. Inc.</b>       | <b>7/29</b> | <b>Bronx Supreme</b> | <b>Negligent Repair: Utility damaged sidewalk during work, plaintiff alleged</b>           | <b>Seth A. Harris &amp; Alison R. Keenan, New York, NY of Burns &amp; Harris</b>                    | <b>\$1,320,000</b> |
| Kurtz v. Tonar Construction Corp.                    | 1/11        | Queens Supreme       | Negligent Assembly or Installation: Poorly installed stairway collapsed, plaintiff alleged | James J. McCrorie, New York, NY of Fanning & McCrorie, P.C.   | \$1,300,000        |
| Allow v. Spivey Oil Burner Service Inc.              | 2/3         | Queens Supreme       | Negligent Repair: Repairman, lack of smoke alarm blamed for fire's fatal result            | Laurence C. Tarowsky, New York, NY; David Huberman, Philadelphia, PA of White & Williams LLP        | \$1,240,000        |
| Bajrami v. 5400 Co.                                  | 7/13        | Bronx Supreme        | Negligent Repair: Elevator's malfunction ignored, plaintiff alleged                        | Ylber Albert Dauti, New York, NY of The Dauti Law Firm, P.C.  | \$1,200,000        |
| Crowley v. Consolidated Edison Co. of New York Inc.  | 11/17       | New York Supreme     | Negligent Maintenance: Utility didn't fix tripping hazard on sidewalk, plaintiff claimed   | David Dean, New York, NY of Sullivan Papain Block McGrath & Cannavo P.C.                            | \$1,010,000        |
| Shiple v. City of New York                           | 11/23       | Richmond Supreme     | Mishandling of Corpses: Medical examiner secretly kept parts of corpse, suit alleged       | Anthony L. Galante, Staten Island, NY of Ameduri, Galante & Friscia                                 | \$1,000,000        |
| Fulmore v. MTA                                       | 3/9         | Kings Supreme        | Negligent Maintenance: Subway station's sidewalk cracked, plaintiff claimed                | Marc J. Citrin, New York, NY of Shaub Ahmuty Citrin & Spratt LLP                                    | \$875,000          |
| Victor v. New York City Transit Authority            | 12/14       | New York Supreme     | Subway Accident: Plaintiff said that subway doors closed on her, caused hip injuries       | Robert Stein, New York, NY of Law Offices of Robert Stein   | \$850,000          |
| Micky v. City N.Y.                                   | 2/28        | Bronx Supreme        | Negligent Maintenance: City neglected broken curb, plaintiff alleged                       | Mitchell R. Bloch, Scarsdale, NY of Law Office of Mitchell Bloch                                    | \$826,000          |
| Mack v. City of Kingston                             | 3/7         | Ulster Supreme       | Negligent Assembly or Installation: Dangerous lot not properly maintained, estate alleged  | Alfred B. Mainetti, Kingston, NY of Mainetti, Mainetti & O'Connor, PC                               | \$600,000          |
| Rodriguez v. 2395 Washington Ave. Corp.              | 9/9         | Bronx Civil          | Negligent Maintenance: City, garage owner ignored cracked sidewalk, plaintiff alleged      | Jason L. Paris, New York, NY of Paris & Chaikin, P.L.L.C.   | \$450,000          |
| Kelly v. Paolone                                     | 4/25        | Suffolk Supreme      | Negligent Supervision:   | Glenn Auletta, Ronkonkoma, NY of Gruenberg & Kelly, P.C.  | \$435,000          |
| Tropez v. Hotel Chandler, LLC                        | 10/3        | New York Supreme     | Negligent Maintenance: Hotel's guest claimed faulty boiler led to scalding incident        | Kenneth R. Shapiro, Carle Place, NY of Philip J. Rizzuto, P.C.                                      | \$400,000          |
| Ramos v. New York City Transit Authority             | 10/28       | New York Supreme     | Negligent Maintenance: Wheelchair-bound woman claimed bus not well maintained              | Peter A. Frankel, New York, NY of Peter A. Frankel, Esq.  | \$400,000          |
| Estate of Bleestein v. NYSARC Inc                    | 4/11        | Sullivan Supreme     | Negligent Supervision: Man with eating disorder died during unsupervised binge             | Marty Rutberg, Poughkeepsie, NY of Rutberg Personal Injury Law                                      | \$400,000          |
| Ortiz v. New York City Transit Authority             | 5/24        | New York Supreme     | Pothole: City, transit authority blamed for pothole next to manhole cover                  | Matthew J. McMahon, Bronx, NY of McMahon, McCarthy & Verrelli                                       | \$400,000          |
| Skala v. Taibi                                       | 2/4         | Sullivan Supreme     | Firearms: Hunter's stray bullet killed tot in nearby home                                  | Marty Rutberg, Poughkeepsie, NY of Rutberg Personal Injury Law                                      | \$375,000          |
| Deveaux v. Landau                                    | 3/30        | Kings Civil          | Negligent Repair: Deadly fire in adjacent building destroyed plaintiffs' home              | Steven J. Pecoraro, New York, NY of Pecoraro & Schiesel LLP   | \$333,230          |
| Gomez v. Barn Trailer Service, Inc                   | 10/28       | Queens Supreme       | Negligent Assembly or Installation: Towing dolly too big for van, plaintiff alleged        | Justin M. Blitz, New York, NY of Schulman Blitz, LLP  | \$250,000          |
| Tahmaz v. City of New York                           | 6/14        | New York Supreme     | Negligent Maintenance: Street's excavated area not safely covered, plaintiff claimed       | Stuart M. Rissoff, Garden City, NY of Law Office of Stuart M. Rissoff                               | \$205,000          |
| Reid v. City of New York                             | 1/4         | Kings Supreme        | Negligent Maintenance: Bus's passenger claimed she was discharged in icy area              | Lester C. Rodriques, New York, NY of Kahn, Gordon, Timko & Rodriques, P.C.                          | \$165,000          |
| Gabber v. Con Edison                                 | 10/6        | New York Supreme     | Negligent Maintenance: Street's misaligned manhole cover a hazard, plaintiff claimed       | Joseph Gorczyca, Jericho, NY of Schwartzapfel Partners P.C.   | \$130,000          |
| Altieri v. Massa                                     | 6/23        | Westchester Supreme  | Intoxication: Party ended with oil drum falling out of window, onto plaintiff              | John J. Bailly, White Plains, NY of Bailly & McMillan, L.L.P.                                       | \$125,000          |
| Tulloch v. City of New York                          | 6/21        | Queens Supreme       | Negligent Maintenance: Theft of catch-basin covers not properly addressed, suit alleged    | Jeffrey L. Koenig, New York, NY of Spar & Bernstein, PC   | \$125,000          |
| Moore v. County of Chemung                           | 5/2         | Chemung Supreme      | Negligent Assembly or Installation: Airport's patron tripped on uneven curb                | Jeffrey G. Pomeroy, Syracuse, NY of Greene & Reid, LLP  | \$75,000           |
| Nicholas v. Empire Resorts Inc.                      | 8/30        | Sullivan Supreme     | Restaurant - Hot Beverage: Patron burned when waiter spilled coffee                        | John V. Janusas, Liberty, NY of Rourke Fine & Janusas   | \$75,000           |
| Ciminna v. G & G Electrical Supply Co, Inc.          | 2/25        | Queens Supreme       | Negligent Training: Trucker's toss of heavy coil led to injury, worker claimed             | Martin Wolf, New York, NY of Ginsberg & Wolf, P.C.  | \$60,000           |

## Negligence

| CASE                       | DATE | COURT          | TYPE OF ACTION  | PLAINTIFF'S COUNSEL                                 | AMOUNT  |
|----------------------------|------|----------------|---|---|---------|
| Zahedi v. City of Kingston | 3/29 | Ulster Supreme | Negligent Maintenance: City let sewer pipes decay, flooded homeowners alleged | Derek J. Spada, Kingston, NY of Basch & Keegan, LLP | \$7,500 |

## Nursing Homes

| CASE                                 | DATE | COURT            | TYPE OF ACTION  | PLAINTIFF'S COUNSEL  | AMOUNT    |
|--------------------------------------|------|------------------|---|--|-----------|
| Alvarez v. Beth Abraham Health Svcs. | 3/9  | Bronx Supreme    | Abuse or Neglect: Quadriplegic man's bedsores deemed results of neglect         | John Dalli, Mineola, NY of Dalli & Marino L.L.P.; David Grossman & Dennis Kelly, Hauppauge, NY of Kelly, Grossman & Flanagan, LLP, trial counsel | \$750,000 |
| Rodriguez v. City of New York        | 2/1  | New York Supreme | Negligent Supervision: Medical facility's resident died after wandering outside | Steven Bournazos, New York, NY of Bournazos & Matarangas   | \$750,000 |

## Premises Liability

| CASE  | DATE  | COURT            | TYPE OF ACTION  | PLAINTIFF'S COUNSEL  | AMOUNT      |
|---|-------|------------------|---|--|-------------|
| Higgins v. West 50th Street Associates LLC          | 2/4   | New York Supreme | Negligent Repair and/or Maintenance: Building's managers neglected clogged roof drain, tenant alleged   | Denise M. Dunleavy, New York, NY of Kramer & Dunleavy, LLP   | \$7,143,004 |
| Greene v. 350 East Montauk Highway Corp.            | 4/1   | Nassau Supreme   | Negligent Repair and/or Maintenance: Firefighter electrocuted by improperly wired sign                  | Lucille Fontana & Henry G. Miller, White Plains, NY of Clark, Gagliardi & Miller, P.C.   | \$5,500,000 |
| Page v. Ulrich Development Co.                      | 3/11  | Niagara Supreme  | Negligent Repair and/or Maintenance: Building's landlord ignored damaged stairway, suit alleged         | Thomas M. Mercure & Scott M. Schwartz, Buffalo, NY of Lipsitz Green Scime Cambria LLP  | \$3,900,000 |
| Meek-Horton v. Salvation Army                       | 4/28  | New York Supreme | Negligent Repair and/or Maintenance: College professor: Need for pain meds led to end of career         | Howard G. Frederick & Howard R. Schatz, New York, NY of Silbowitz, Garafola, Silbowitz, Schatz & Frederick, LLP                        | \$3,100,000 |
| Colon v. 315 West 115th Street Co., L.P.            | 1/20  | Bronx Supreme    | Negligent Repair and/or Maintenance: Child was poisoned by exposure to lead-based paint, suit alleged   | Philip Monier, III, New York, NY of Levy, Phillips & Konigsberg, LLP   | \$3,000,000 |
| Molina v. N.Y.C.T.A.                                | 10/27 | Bronx Supreme    | Negligent Repair and/or Maintenance: Suit: Trash a recurrent problem on subway station's stairs         | Andrea V. Borden, New York, NY of Burns & Harris   | \$2,610,000 |
| Kaplan v. Port Authority of New York and New Jersey | 1/18  | New York Supreme | Negligent Repair and/or Maintenance: Fall in airport caused permanent knee damage, plaintiff claimed    | Michael W. Gunzburg, New York, NY of Michael Gunzburg, P.C.  | \$2,305,000 |
| Knab v. Mansell Real Estate Group, LLP              | 9/30  | Erie Supreme     | Negligent Repair and/or Maintenance: Landlord, contractor ignored dangerous parking lot, suit alleged   | Thomas R. Elliot, Buffalo, NY of The Ballow Firm, PC   | \$2,100,000 |
| Doe v. Bertuna                                      | 10/26 | Kings Supreme    | Inadequate or Negligent Security: Building not closed to outsiders, assaulted tenant claimed            | Eric Richman, New York, NY of Law Office of Eric Richman   | \$2,000,000 |
| Castro v. Baktidy Associates, LLC                   | 3/21  | Bronx Supreme    | Negligent Repair and/or Maintenance: Roof's collapse a product of neglected drain, plaintiffs alleged   | Benjamin E. Setareh, Pleasantville, NY of Benjamin E. Setareh, P.C.; Jordan D. Hecht, New York, NY of Hecht Kleegeer Pintel & Damashek | \$1,742,500 |
| Roche v. Soho House New York, LLC                   | 10/17 | New York Supreme | Dangerous Condition: Club's freshly painted stairs a hazard, guest alleged                              | Nataschia Ayers, New York, NY of Jaroslawicz & Jaros   | \$1,593,000 |
| Cusumano v. City of New York                        | 6/9   | Queens Supreme   | Dangerous Condition: Handrail violated building codes, injured fireman claimed                          | Michael P. Eisenman & Jonathan M. Kanuck, New York, NY of Miller & Eisenman, LLP   | \$1,255,000 |
| Gondek v. CSX Transportation Inc.                   | 10/13 | Erie Supreme     | Negligent Repair and/or Maintenance: Train yard's poor drainage caused hazard, worker claimed           | John Collins, Hamburg, NY of Collins & Collins, LLC  | \$1,200,000 |
| EverWin Inc. v. I-10 Industry Associates LLC.       | 3/1   | Kings Supreme    | Negligent Repair and/or Maintenance: Warehouse flood damaged \$1.3M of clothes, plaintiff claimed       | Adam E. Deutsch, New York, NY of Morelli Ratner PC   | \$1,181,660 |
| MacWhinnie v. MacWhinnie                            | 3/30  | Suffolk Supreme  | Negligent Repair and/or Maintenance: Boiler-carrying plaintiff crushed when stairs collapsed            | Denny Brown, Ronkonkoma, NY of Gruenberg & Kelly   | \$1,170,000 |
| Hart v. Baer's Rug & Linoleum Co. Inc.              | 5/11  | Suffolk Supreme  | Failure to Warn: Plaintiff claimed no notice of workplace hazard  | John L. Geis, Bay Shore & Mark A. Rudner, Bay Shore, NY of Siben & Siben, LLP  | \$1,150,000 |
| Velez v. ASAP Distributing Inc.                     | 6/10  | Bronx Supreme    | Falling Object: Supermarket's customer struck by falling shelf  | Christopher A. Marothy, Bronx, NY of Dubow, Smith & Marothy, trial counsel, Michael A. Ruiz, New York, NY                              | \$1,100,000 |
| Wilson v. Skyline Windows, LLC                      | 6/28  | Bronx Supreme    | Dangerous Condition: Workers' drop cloth created a hazard, apartment's tenant alleged                   | Glenn A. Herman, New York, NY of Law Firm of Jonathan C. Reiter  | \$1,050,000 |
| Bradbury v. Greys                                   | 11/14 | Kings Supreme    | Negligent Repair and/or Maintenance: Plaintiff sustained three-part fracture of leg in fall on sidewalk | Dov Medinets & Martin Wolf, New York, NY of Ginsberg & Wolf, P.C.  | \$1,000,000 |



## Premises Liability

| CASE  | DATE  | COURT            | TYPE OF ACTION   | PLAINTIFF'S COUNSEL  | AMOUNT      |
|---|-------|------------------|--|--|-------------|
| Gonzalez v. City of New York                                | 4/14  | Kings Supreme    | Negligent Repair and/or Maintenance: School didn't address slippery vestibule, plaintiff alleged       | Paul J. Edelstein, New York, NY of The Edelsteins, Faegenburg & Brown LLP                    | \$1,000,000 |
| Williams v. Singh   | 2/4   | Albany Supreme   | Negligent Repair and/or Maintenance: Siblings claimed they were poisoned by apartments' lead           | Mo Athari, Utica, NY of Athari & Associates, LLC   | \$1,000,000 |
| Alvarez v. 437 East 165th Street Realty Corp.               | 6/16  | Bronx Supreme    | Negligent Repair and/or Maintenance: Plaintiff claimed building's owner ignored damaged sidewalk       | Andrea V. Borden, New York, NY of Burns & Harris   | \$930,000   |
| Mejia v. Grove Gardens Associates LLC                       | 4/29  | Queens Supreme   | Negligent Repair and/or Maintenance: Partygoer fell down elevator's shaft, claimed defect of door      | Vito A. Cannavo & Liza Milgrim, New York, NY of Sullivan Papain Block McGrath & Cannavo P.C. | \$900,000   |
| Caraballo v. 783 Beck Street Housing Development Fund Corp. | 6/29  | Bronx Supreme    | Negligent Repair and/or Maintenance: Landlord ignored slippery steps, tenant alleged                   | William Ricigliano, New York, NY of William Ricigliano, P.C.                                 | \$900,000   |
| Leonard v. Home Cafe Inc                                    | 8/15  | Monroe Supreme   | Negligent Repair and/or Maintenance: Deliveryman claimed restaurant didn't clean greasy floor          | Martin D. Smalline, Albany, NY of Smalline and Harri   | \$850,000   |
| Barbaccia v. Jeanne Marie Associates, L.L.C.                | 1/3   | Rockland Supreme | Negligent Repair and/or Maintenance: Apartment complex didn't repair broken floodlight, tenant alleged | Barry S. Kantrowitz, Chestnut Ridge, NY of Kantrowitz, Goldhamer & Graifman, P.C.            | \$826,576   |
| Murray v. Barcov Holding Corp.                              | 12/21 | New York Supreme | Negligent Repair and/or Maintenance: Stairway's risers, handrail a hazard, plaintiff claimed           | Andrew D. Leftt, New York, NY of David P. Kownacki, P.C.                                     | \$825,000   |
| Bender v. 3616 Henry Hudson Parkway Corp.                   | 9/14  | Bronx Supreme    | Negligent Repair and/or Maintenance: Building's manager didn't clear mounded snow, tenant alleged      | Pablo A. Sosa, Bronx, NY of Law Office of William A. Gallina                                 | \$800,000   |
| Rodriguez v. South Bronx Community Corp.                    | 5/31  | Bronx Supreme    | Negligent Repair and/or Maintenance: Apartment building's tenant claimed frayed lobby rug a hazard     | Pablo A. Sosa, Bronx, NY of Law Office of William A. Gallina                                 | \$800,000   |
| Ortiz v. Joremi Enterprises Inc.                            | 3/15  | Bronx Supreme    | Negligent Repair and/or Maintenance: Landlord's neglect of door led to girl's injury, suit alleged     | John S. Manassis, Flushing, NY of Mallilo & Grossman   | \$750,000   |
| Gomez v. Christos Realty Inc.                               | 1/11  | Queens Supreme   | Negligent Repair and/or Maintenance: Building's owner didn't shut down faulty elevator, suit alleged   | Robert J. Bellinson, New York, NY of trial counsel, Wingate, Russotti & Shapiro LLP          | \$750,000   |
| Willacy v. Park-58 Corp.                                    | 1/20  | Kings Supreme    | Negligent Repair and/or Maintenance: Building's owner didn't clear icy, snowy sidewalk, suit alleged   | Michael Maiolica, Great Neck, NY of Law Office of Steven Wildstein P.C.                      | \$750,000   |
| Torres v. The City of New York                              | 11/15 | Kings Supreme    | Dangerous Condition: Construction caused hole in sidewalk, plaintiff alleged                           | Kostantinos Mallas, Brooklyn, NY of Georgaklis & Mallas PLLC                                 | \$675,000   |
| Guerra v. New York City Transit Authority                   | 4/7   | Bronx Supreme    | Negligent Repair and/or Maintenance: Subway station's icy platform was ignored, plaintiff alleged      | Neil R. Kafko, Bronx, NY of Kafko Schnitzer LLP  | \$650,000   |
| Groom v. Sagamore Realty, LLC                               | 5/27  | Bronx Supreme    | Negligent Repair and/or Maintenance: Landlord ignored stairway's broken handrail, tenant alleged       | Seth A. Harris & Alison Keenan, New York, NY of Burns & Harris                               | \$617,000   |
| Ogman v. Mastrantonio Catering Inc.                         | 9/27  | Richmond Supreme | Dangerous Condition: Partygoer scalded after coffee urn toppled  | Martin Rubenstein, Staten Island, NY of Law Offices of Howard M. File                        | \$600,000   |
| Valez v. Smile Deli Grocery Ltd.                            | 12/7  | Bronx Supreme    | Negligent Repair and/or Maintenance: Deli's slippery steps caused fall, deliveryman claimed            | Timothy M. Sullivan, New York, NY of The Sullivan Law Firm                                   | \$600,000   |
| Kahle v. New York State Electric & Gas                      | 3/14  | Niagara Supreme  | Dangerous Condition: Plaintiff hit by falling debris, claimed injury of neck                           | Michael C. Scinta, Lancaster, NY of Brown Chiari LLP   | \$500,000   |
| Doe v. Gateway Sherman Inc.                                 | 1/14  | Kings Supreme    | Inadequate or Negligent Security: Landlord's neglect of security system led to rape, suit alleged      | Adam D. Cahn & Matthew Sakkas, New York, NY of Sakkas, Cahn & Weiss, LLP                     | \$500,000   |
| Phillips v. Kashtan Realty LLC                              | 10/12 | Bronx Supreme    | Negligent Repair and/or Maintenance: Building's broken door lock allowed assault of tenant             | Robert P. Kelly, New York, NY of Kelly & Rubin, L.L.P.                                       | \$500,000   |
| Harrison v. New York City Transit Authority                 | 6/28  | Bronx Supreme    | Negligent Repair and/or Maintenance: Subway station's icy platform not addressed, plaintiff claimed    | Steven M. Gershowitz, New York, NY of Raphaelson & Levine Law Firm P.C.                      | \$500,000   |
| Hernandez v. 580-585 Realty, LLC.                           | 2/15  | Kings Supreme    | Negligent Repair and/or Maintenance: Building's owner didn't clean up after workers, plaintiff alleged | John Burnett, Howard Beach, NY of Scott Baron & Associates                                   | \$500,000   |
| Sow v. Harlem River Park Houses Inc.                        | 1/25  | Bronx Civil      | Negligent Repair and/or Maintenance: Fall on stairs ended career; computer operator claimed            | Howard G. Frederick, New York, NY of Silbowitz Garafola Silbowitz Schatz & Frederick, L.L.P. | \$500,000   |

## Premises Liability

| CASE   | DATE  | COURT                         | TYPE OF ACTION   | PLAINTIFF'S COUNSEL   | AMOUNT    |
|--|-------|-------------------------------|--|---|-----------|
| Silva v. Jerome Terrace Associates, L.P.                 | 6/16  | Bronx Supreme                 | Negligent Repair and/or Maintenance: Plaintiff claimed he broke shoulder after tripping in elevator  | Jonathan O. Michaels, Bronx, NY of Pena & Kahn, PLLC  | \$266,000 |
| Baez-Sharp v. New York City Transit Authority            | 8/18  | New York Supreme              | Negligent Repair and/or Maintenance: Subway station's leak ignored, plaintiff claimed  | Joshua N. Stein, New York, NY of Greenberg & Stein, P.C.  | \$265,000 |
| Cruz v. 2025 Regent Realty, LLC.                         | 1/19  | Kings Supreme                 | Negligent Repair and/or Maintenance: Child poisoned by apartment's lead-based paint, mother alleged  | Richard L. Goldberg, Brooklyn, NY of Peters, Berger, Koshel & Goldberg                                  | \$265,000 |
| DaSilva v. City of New York                              | 11/10 | Kings Supreme                 | Negligent Repair and/or Maintenance: Building's owner ignored icy sidewalk, plaintiff claimed  | Norman Steiner, New York, NY, trial counsel, Berkman Law Office, Brooklyn, NY                           | \$261,200 |
| Winger v. Congregation Nechlas Meharim                   | 6/17  | Kings Supreme                 | Dangerous Condition: Synagogue's entry-way area a hazard, visitor alleged  | Irving Gertel, Brooklyn, NY of Kagan & Gertel   | \$253,400 |
| Schmalfuhs v. Warwick Valley Stables & Equestrian Center | 11/30 | Orange Supreme                | Inadequate or Negligent Security: Plaintiff said her six-year-old daughter suffered severe facial injuries after she was bitten by a horse, claimed stablehand was negligent | Adam M. Greenberg, New York, NY of Law Offices of Alan M. Greenberg, P.C.                               | \$250,000 |
| Moore v. Davidson Realty Associates, LLC                 | 7/28  | Bronx Supreme                 | Negligent Repair and/or Maintenance: Restaurant's customer claimed door slammed on her heel  | John C. Naccarato, New York, NY of Kim I. McHale & Associates   | \$250,000 |
| McPhaul v. Mutual of America Life Insurance Co.          | 12/8  | Kings Civil                   | Negligent Repair and/or Maintenance: Building's lobby a slippery hazard, plaintiff claimed   | Norman Steiner, New York, NY, trial counsel, Berkman Law Office, Brooklyn, NY                           | \$250,000 |
| Wojda v. Pezar   | 11/30 | Queens Supreme                | Negligent Repair and/or Maintenance: Neighbors didn't clear ice from shared driveway, plaintiff alleged  | Adam C. Yanover, Garden City, NY of Yanover & Yanover   | \$247,500 |
| Falzon v. JPMorgan Chase & Co.                           | 6/15  | U.S. District Court, E.D.N.Y. | Negligent Repair and/or Maintenance: Bank's staff didn't address slippery vestibule, patron alleged  | Anthony J. Emanuel, Garden City, NY of Bornstein & Emanuel, P.C.  | \$240,000 |
| Mulligan-Shaw v. Six Flags Inc.                          | 12/16 | Warren Supreme                | Negligent Repair and/or Maintenance: Icy parking lot not addressed, plaintiff claimed  | Michael T. McGarry, Albany, NY of Finkelstein & Partners, LLP   | \$225,000 |
| Hicks v. Stern   | 9/16  | Monroe Supreme                | Negligent Repair and/or Maintenance: Landlord ignored chipping lead-based paint, tenant alleged  | Neil J. McKinnon & Michael A. Ponterio & Keith R. Vona, Buffalo, NY of Lipsitz & Ponterio L.L.C.        | \$221,000 |
| Bracker v. MTA / New York City Transit Authority         | 8/3   | New York Supreme              | Negligent Repair and/or Maintenance: Subway station's stairway sticky and hazardous, plaintiff claimed   | Andrea V. Borden, New York, NY of Burns & Harris  | \$200,000 |
| Battle v. City of New York                               | 4/13  | Kings Supreme                 | Negligent Repair and/or Maintenance: City ignored uneven sidewalk, plaintiff alleged   | Christopher J. Donadio, New York, NY of Burns & Harris  | \$200,000 |
| French v. Breezy Point Cooperative Inc.                  | 9/28  | Queens Supreme                | Negligent Repair and/or Maintenance: Co-op's resident claimed she slipped on icy sidewalk  | Craig C. DeMeo, Syosset, NY of DeMeo & Associates, LLC  | \$200,000 |
| Means v. City of New York                                | 2/23  | New York Supreme              | Negligent Repair and/or Maintenance: Plaintiff's fall on stairs blamed on sloppy repair work   | Adam H. Rossol, New York, NY of Robinson & Yablou, P.C., New York, NY, trial counsel, Morton J. Sealove | \$200,000 |
| Brecker v. NYCTA   | 8/3   | New York Supreme              | Stairway:  | Andrea V. Borden, New York, NY of Burns & Harris  | \$200,000 |
| Kotlarich v. Thompson Station Inc                        | 2/9   | Sullivan Supreme              | Negligent Repair and/or Maintenance: Mall's patron claimed parking lot's man-hole cover a hazard   | Richard Greenblatt, Poughkeepsie, NY of Rutberg & Associates P.C.                                       | \$185,000 |
| Visscher v. Waterhouse Restaurant Inc.                   | 8/31  | Saratoga Supreme              | Negligent Repair and/or Maintenance: Guest cook claimed he slipped on restaurant's greasy stairs   | John P. Coseo, Saratoga Springs, NY of McMahon & Coseo, P.C.  | \$180,000 |
| Huallpa v. Raimondis                                     | 5/19  | Westchester Supreme           | Negligent Repair and/or Maintenance: Landlord failed to clear icy walkway, tenant alleged  | Michael F. Rubin, New York, NY of Kelly & Rubin, LLP  | \$180,000 |
| Hart v. Spinek   | 8/5   | Onondaga Supreme              | Door Accidents: Neighbor sues after fall, faulting a broken screen door  | James G. DiStefano, Syracuse, NY of James G. DiStefano, Esq.  | \$175,000 |
| Massey v. Newburgh W. Realty Inc.                        | 8/11  | New York Supreme              | Negligent Repair and/or Maintenance: Plaintiff, store owner debated presence of ice on sidewalk  | Erik L. Gray & Amy Rosenbloom, New York, NY of Weiss & Rosenbloom, P.C.                                 | \$175,000 |
| Creagh v. Trata Estiatorio                               | 7/13  | New York Supreme              | Negligent Repair and/or Maintenance: Restaurant's patron fell in puddle, blamed leaky refrigerator   | Debra S. Reiser, New York, NY   | \$160,665 |
| Lomanto v. Wasserman                                     | 2/10  | Kings Supreme                 | Negligent Repair and/or Maintenance: Building's lobby slippery on rainy day, tenant alleged  | Christopher J. Donadio, New York, NY of Burns & Harris  | \$160,000 |
| Marcus v. New York City Transit Authority                | 5/6   | New York Supreme              | Negligent Repair and/or Maintenance: Defense: Woman fabricated claim of fall on stairway   | Robert D. Becker, New York, NY of Becker & D'Agostino, P.C.   | \$153,357 |

## Premises Liability

| CASE   | DATE        | COURT                | TYPE OF ACTION   | PLAINTIFF'S COUNSEL  | AMOUNT           |
|--|-------------|----------------------|--|--|------------------|
| Page v. Trade Fair Supermarkets  | 9/9         | Queens Supreme       | Dangerous Condition: Supermarket's customer tripped on box of merchandise                                | Michael Finkelstein, Hempstead, NY of Jacoby & Meyers  | \$150,000        |
| Estate of Troutman v. 957 Nassau Rd LLC  | 4/8         | Nassau Supreme       | Negligent Repair and/or Maintenance: Suit's parties disputed location of man's fatal fall                | Jay L. Feigenbaum, Mineola, NY of Finz & Finz, P.C.  | \$150,000        |
| Beilush v. Lake Forest Estate Condominium  | 2/28        | Sullivan Supreme     | Negligent Repair and/or Maintenance: Failure to drain pipes blamed for damage to summer condos           | Matthew S. Abouafia, New York, NY of Abouafia Law Firm LLC                                     | \$140,000        |
| Moody v. B & T Subway Inc.   | 6/30        | Kings Supreme        | Negligent Repair and/or Maintenance: Sandwich shop's patron slipped on freshly mopped floor              | Alan M. Greenberg, New York, NY of Law Offices of Alan M. Greenberg, P.C.                      | \$125,000        |
| Isham v. Northern Radiology Associates PC  | 9/22        | Jefferson Supreme    | Dangerous Condition: Medical facility's tight quarters a hazard, patient claimed                         | Michael G. Bersani, Auburn, NY of Michaels & Smolak, P.C.                                      | \$120,000        |
| <b>Carter v. 2391 Davidson Avenue Owner, LLC</b>                                 | <b>3/11</b> | <b>Bronx Supreme</b> | <b>Negligent Repair and/or Maintenance: Building's managers ignored dangerous stairs, tenant alleged</b> | <b>Christopher J. Donadio, New York, NY of Burns &amp; Harris</b>                              | <b>\$100,000</b> |
| Orlando v. Bitteker  | 3/9         | Onondaga Supreme     | Negligent Repair and/or Maintenance: Store's patron claimed he tripped on stray piece of wood            | David W. Herkala, Syracuse, NY of Cerio Law Offices  | \$90,000         |
| Workman v. 149 Sanford House Apartment Corp.                                     | 11/14       | Queens Civil         | Negligent Repair and/or Maintenance: Unaddressed leaks led to ceiling's collapse, plaintiff claimed      | Eliot Lewis, Flushing, NY of Mallilo & Grossman  | \$90,000         |
| Aiken v. Onondaga County Convention Center War Memorial Complex Management Corp. | 8/23        | Onondaga Supreme     | Negligent Repair and/or Maintenance: Suit: Convention center's icy sidewalk not promptly addressed       | Amy M. Vanderlyke, Syracuse, NY of Sugarman Law Firm LLP                                       | \$90,000         |
| Secreto v. Mid-Hudson Park Management Corp.                                      | 4/11        | Ulster Supreme       | Negligent Repair and/or Maintenance: Trailer park, resident, disputed liability for icy culvert          | Michael Forrester, New Windsor, NY of Silver, Forrester, Schisano & Lesser, P.C.               | \$85,000         |
| Gollisz v. New York City Department of Education                                 | 3/24        | Queens Supreme       | Dangerous Condition: Teacher claimed she tripped on computer on classroom floor                          | Mariangela Chiaravalloti, New York, NY of Friedman, Friedman, Chiaravalloti & Giannini         | \$75,000         |
| Celia v. Town of Whitestown  | 4/13        | Oneida Supreme       | Dangerous Condition of Public Property: Park's hill hazardous to sledders, plaintiff alleged             | Marc Jonas, Utica, NY of Law Offices of Marc Jonas   | \$75,000         |
| Lerman v. New York City Transit Authority  | 3/7         | New York Supreme     | Negligent Repair and/or Maintenance: Subway station's patron claimed damaged floor a hazard              | Justin S. Blash, New York, NY of The Blash Firm, PLLC, trial counsel, Asher & Associates, P.C. | \$75,000         |
| Gordon v. Village of Port Dickinson  | 9/12        | Broome Supreme       | Negligent Repair and/or Maintenance: Garage's drainage gutters created icy condition, suit alleged       | Victoria Lieb Lightcap, Liverpool, NY of Finkelstein & Partners LLP                            | \$75,000         |
| Hayes v. Norstar Apartments LLC  | 8/24        | Onondaga Supreme     | Negligent Repair and/or Maintenance: Apartment complex's staff ignored icy lot, plaintiff alleged        | Frank S. Gattuso, Fayetteville, NY of O'Hara, O'Connell & Ciotoli                              | \$75,000         |
| Sharlow v. Flora   | 1/13        | Livingston Supreme   | Negligent Repair and/or Maintenance: Picnic table's collapse caused injury of back, plaintiff alleged    | Amy L. DiFranco & Gary J. Gianforti, Rochester, NY of Culley, Marks, Tanenbaum & Pezzulo, LLP  | \$75,000         |
| Sanford v. Faville   | 3/21        | Ulster Supreme       | Negligent Repair and/or Maintenance: Marina's oily doormat a hazard, patron alleged                      | David E. Gross, Newburgh, NY of Finkelstein & Partners   | \$70,000         |
| Feldman v. TJX Cos. Inc.   | 5/16        | Suffolk Supreme      | Dangerous Condition: Accident in store led to tear of knee, plaintiff claimed                            | Robert T. Samson, Bay Shore, NY of Siben & Siben, LLP  | \$65,000         |
| Nowak v. Lovern  | 8/26        | Chautauqua Supreme   | Negligent Repair and/or Maintenance: Window slammed on plaintiff's finger, leading to amputation         | David G. Henry, Buffalo, NY of Lipsitz Green Scime Cambria LLP                                 | \$60,000         |
| Pesce v. Fenton  | 6/27        | Nassau Supreme       | Negligent Repair and/or Maintenance: Home's occupants ignored damaged sidewalk, suit alleged             | Stacey Rinaldi Guzman, Franklin Square, NY of Stanton and Guzman                               | \$60,000         |
| Baker v. Llaverias   | 2/3         | Dutchess Supreme     | Swimming Pool: Day care facility didn't safeguard pool, parent alleged                                   | Richard Greenblatt, Poughkeepsie, NY of Rutberg & Associates, P.C.                             | \$60,000         |
| Khaikin v. Trump Village Construction Corp.                                      | 5/9         | Kings Supreme        | Negligent Repair and/or Maintenance: City, apartment building ignored uneven sidewalk, suit alleged      | Alvin M. Bernstone, New York, NY of Alvin M. Bernstone, L.L.P.                                 | \$51,500         |
| Smith v. Timian  | 6/20        | Oneida Supreme       | Negligent Repair and/or Maintenance: Woman hit by falling tree limb, claimed tree was neglected          | Peter J. DiGiorgio, Jr., Utica, NY of Law Office of Peter DiGiorgio                            | \$50,000         |
| Neville v. Golden & Golden Building Co.  | 6/6         | Matter not filed     | Negligent Repair and/or Maintenance: Stairway's warped wooden steps a hazard, claimant alleged           | Richard Greenblatt, Poughkeepsie, NY of Rutberg & Associates, P.C.                             | \$50,000         |
| Satterwhite v. Hoke  | 2/4         | Albany Supreme       | Negligent Repair and/or Maintenance: Barn's owner didn't address damaged door, plaintiff alleged         | Andrew J. Genna, Newburgh, NY of Finkelstein & Partners  | \$50,000         |