

NEW YORK CITY

PLAINTIFF v. LANDSCAPE ARCHITECT

NEW YORK STATE SUPREME COURT, SUFFOLK COUNTY



Richard Barber and Schawn-Paul Rotella obtained summary judgment in a lawsuit involving a fall from a height at a residential home. HBG's client was a landscape architect who installed pavers on a multi-level deck in the course of a multi-million-dollar home renovation project. Several years later, the plaintiff was walking along the deck when she fell from one level to another sustaining serious injuries. At the conclusion of discovery, HBG moved for summary judgment seeking dismissal of all claims against its client. HBG argued, in part, that there was no evidence to suggest that its client work was anything less than workmanlike and that plaintiff's testimony does not suggest that the accident occurred as a result of the work performed by HBG's client. The motion was ultimately granted, saving HBG's client significant time and expense in either attending trial or settling the matter.



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