

SUCCESSFUL APPEAL REGARDING LABOR LAW § 240(1) AND PLAINTIFF'S ALLEGED INJURY

Hodgson Russ attorneys Ryan Lucinski and Patrick Hines successfully handled an appeal that strengthened the requirement that an alleged violation of Labor Law § 240(1) must cause a plaintiff's alleged injury. The plaintiff sued our client, which owned a construction site, and claimed that while working on a raised concrete slab, he tripped over demolition debris and sustained significant injuries to his ankle. He then fell off the slab, suffering other, minor injuries. After discovery, the trial court granted summary judgment to our client dismissing all claims related to the alleged ankle injury, finding no causal relationship between it and the 240 claim. The Appellate Division, Fourth Department, unanimously affirmed.

Attorneys

Ryan Lucinski

Patrick Hines