

Sacco and Fillas, LLP v. Broderick

Supreme Court, Appellate Division, Second Department, New York. November 25, 2015 [133 A.D.3d 862](#) 21 N.Y.S.3d 281

LEGAL SERVICES - Liens. Whether driver and passenger waived conflict of interest when represented by same attorney was fact issue in lien action.

...[Sacco and Fillas, LLP v. Broderick N.Y.A.D.2Dept.,2015. SACCO AND FILLAS...](#)

...Appellate Division, Second Department, New York. In the Matter of [SACCO AND FILLAS, LLP](#) , respondent, v. David J. BRODERICK, P.C., appellant. Nov. 25...

Grant v. New York City Transit Authority

Supreme Court, Appellate Division, Second Department, New York. November 29, 2011 [89 A.D.3d 1058](#) 933 N.Y.S. 2d 582

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Kings County (Sherman, J.), dated September 13, 2010, which granted the defendants' motion for summary judgment dismissing the complaint on the ground that she did not sustain a serious injury within the meaning of Insurance Law §...

...YORK CITY TRANSIT AUTHORITY, et al., respondents. Nov. 29, 2011. [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Lamont K. Rodgers of counsel), for appellant...

Sablo v. Westbrook

Supreme Court, Appellate Division, Second Department, New York. March 12, 2014 [115 A.D.3d 731](#) 981 N.Y.S.2d 605

In an action to recover damages for personal injuries, the defendants appeal from an order of the Supreme Court, Queens County (Taylor, J.), entered November 8, 2013, which denied their motion for summary judgment dismissing the complaint on the ground that the plaintiff did not sustain a serious injury within the meaning of Insurance Law § 5102(d)...

...Lau , Jericho, N.Y. (Kathleen E. Fioretti of counsel), for appellants. [Sacco & Fillas, LLP](#), Astoria, N.Y. (Si Aydiner of counsel), for respondent. In...

Charalambous v. Brown

Supreme Court, Appellate Division, Second Department, New York. January 27, 2016 [135 A.D.3d 892](#) 23 N.Y.S.3d 584

In an action, inter alia, to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Lane, J.), entered November 17, 2014, which granted the defendant's motion for summary judgment dismissing the complaint on the ground that the plaintiff did not sustain a serious injury within the meaning of...

...CHARALAMBOUS , appellant, v. Don J. BROWN, respondent. Jan. 27, 2016. [Sacco & Fillas, LLP](#), Astoria, N.Y. (Ying Hua Huang of counsel), for appellant...

White v. Luna

Supreme Court, Appellate Division, Second Department, New York. May 18, 2016 [139 A.D.3d 939](#) 30 N.Y.S.3d 575

In an action to recover damages for personal injuries, the defendants Victor Luna and Ramiro Luna appeal from a judgment of the Supreme Court, Kings County (Baily–Schiffman, J.), dated August 7, 2014, which, upon a jury verdict on the issue of damages awarding the plaintiff Kirk White the principal sum of \$400,000, is in favor of the plaintiff Kirk...

...W. Naparty and Seth M. Weinberg], of counsel), for appellants. [Sacco & Fillas, LLP](#), Astoria, NY (Lamont K. Rodgers of counsel), for respondent...

Reyes v. Dagostino

Supreme Court, Appellate Division, Second Department, New York. November 24, 2009 [67 A.D.3d 983](#) 888 N.Y.S.2d 754

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Satterfield, J.), dated August 14, 2008, which granted the defendants' motion for summary judgment dismissing the complaint on the ground that the plaintiff did not sustain a serious injury within the meaning of Insurance...

...v. Linda M. DAGOSTINO, et al., respondents. Nov. 24, 2009. [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Paul Polios of counsel), for appellant. Mendolia...

Davranov v. 470 Realty Associates, LLC

Supreme Court, Appellate Division, Second Department, New York. December 07, 2010 [79 A.D.3d 697](#) 911 N.Y.S.2d 912

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Kings County (Knipel, J.), dated July 15, 2009, which granted the defendant's motion for summary judgment dismissing the complaint. ORDERED that the order is reversed, on the law, with costs, and the defendant's motion for summary...

...appellant, v. 470 REALTY ASSOCIATES, LLC, respondent. Dec. 7, 2010. [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Lamont K. Rogers of counsel), for appellant...

Karnikolas v. Wengert

Supreme Court, Appellate Division, Second Department, New York. February 15, 2011 [81 A.D.3d 782](#) 916 N.Y.S.2d 836

In an action to recover damages for personal injuries, the defendant appeals from an order of the Supreme Court, Queens County (McDonald, J.), entered March 3, 2010, which denied her motion for summary judgment dismissing the complaint. ORDERED that the order is affirmed, with costs. The Supreme Court did not err in denying the defendant's motion...

...Lake Success, N.Y. Marshall D. Sweetbaum], of counsel), for appellant. [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Larry I. Badash of counsel), for respondent...

Paredes v. Boudreau

Supreme Court, Appellate Division, Second Department, New York. June 24, 2015 [129 A.D.3d 1046](#) 10 N.Y.S.3d 879

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Siegal, J.), dated February 14, 2014, which granted the defendants' motion for summary judgment dismissing the complaint on the ground that the plaintiff did not sustain a serious injury within the meaning of Insurance Law...

...v. Charles J. BOUDREAU, et al., respondents. June 24, 2015. [Sacco & Fillas, LLP](#), Astoria, N.Y. (Brad S. Levin of counsel), for appellant...

Gooden v. Joseph

Supreme Court, Appellate Division, Second Department, New York. March 30, 2016 [137 A.D.3d 1215](#) 27 N.Y.S.3d 393

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Lane, J.), dated February 2, 2015, which granted the defendants' motion for summary judgment dismissing the complaint on the ground that she did not sustain a serious injury within the meaning of Insurance Law § 5102(d) as...

...v. Wendesa A. JOSEPH, et al., respondents. March 30, 2016. [Sacco & Fillas, LLP](#), Astoria, N.Y. (Larry I. Badash of counsel), for appellant...

Luma v. Elrac Inc.

Supreme Court, Appellate Division, Second Department, New York. July 19, 2011 [86 A.D.3d 594](#) 926 N.Y.S.2d 910

In an action, inter alia, to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Kings County (Rothenberg, J.), dated July 21, 2010, which, after a jury verdict on the issue of liability finding her 45% at fault and the defendant Justin J. Cupid 55% at fault in the happening of the accident, in effect,...

...ELRAC INCORPORATED, defendant, Justin J. Cupid, respondent. July 19, 2011. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Larry I. Badash of counsel), for appellant...

Alas v. Brentwood Health Center

Supreme Court, Appellate Division, Second Department, New York. October 15, 2014 [121 A.D.3d 822](#) 993 N.Y.S.2d 518

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Suffolk County (Rebolini, J.), dated October 2, 2012, which granted the defendant's motion to dismiss the complaint for failure to serve a timely notice of claim pursuant to General Municipal Law § 50-e and denied her cross motion for...

...ALAS , etc., v. BRENTWOOD HEALTH CENTER , respondent. Oct. 15, 2014. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Si Aydiner of counsel), for appellant. Dennis...

Ampofo v. Brydson

Supreme Court, Appellate Division, First Department, New York. November 29, 2016 [144 A.D.3d 611](#) 41 N.Y.S.3d 424

Order, Supreme Court, Bronx County (Betty Owen Stinson, J.), entered January 14, 2016, which granted defendant's motion for summary judgment dismissing the complaint, unanimously reversed, on the law, without costs, and the motion denied. In this action for personal injuries sustained in a motor vehicle accident, the record shows that while...

...Appellant, v. Leonie M. BRYDSON, Defendant-Respondent. Nov. 29, 2016. [Sacco & Fillas](#), LLP, Astoria (Jeremy S. Ribakove of counsel), for appellant. Russo...

Hanan v. Bremen House Inc.

Supreme Court, Queens County, New York. March 28, 2012 [35 Misc.3d 1203\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 950 N.Y.S.2d 723

The following papers numbered were read on this motion: CHARLES J. MARKEY, J.: Prior to her death, plaintiff, Camille Lelia, while 79 years old, was allegedly injured when, on November 24, 2007, she stumbled on defective pavement in a parking lot of a restaurant located at 271-11 Union Turnpike, New Hyde Park, in Queens County, New York. In the...

...BREMEN HOUSE INC., Defendant. No. 27300/2009. March 28, 2012. [Sacco & Fillas](#), LLC, by Kenneth G. Esehak , Esq., Astoria, for the Plaintiff...

...no wilful or contumacious behavior by the law firm of [Sacco & Fillas](#), the plaintiff's counsel, in the late disclosure of the eyewitness's...

Fontana v. Aamaar & Maani Karan Transit Corp.

Supreme Court, Appellate Division, Second Department, New York. January 14, 2015 [124 A.D.3d 579](#) 1 N.Y.S.3d 324

TRANSPORTATION - Motor Vehicles. Triable issue of fact existed as to whether plaintiff sustained serious injury to his spine as result of automobile accident.

...injury sustained in accident. McKinney's Insurance Law §5102(d) [Sacco & Fillas](#), LLP, Astoria, N.Y. (Nissim Abaev of counsel), for appellant. Baker...

Guzman v. Spring Creek Towers, Inc.

Supreme Court, Appellate Division, Second Department, New York. June 30, 2009 [63 A.D.3d 1105](#) 882 N.Y.S.2d 278

LITIGATION - Discovery. Trial court did not abuse its discretion in permitting undisclosed witnesses to testify. ...minimal since he had access to ambulance report and technicians. [Sacco & Fillas, LLP, Whitestone, N.Y.](#) (Andrew Wiese of counsel), for appellants. Brody...

Sajid v. Murzin

Supreme Court, Appellate Division, Second Department, New York. June 03, 2008 [52 A.D.3d 493](#) 860 N.Y.S.2d 559

TRANSPORTATION - Motor Vehicles. Summary judgment evidence did not show that plaintiff's injury was not serious within meaning of the No-Fault Law.

...New York, N.Y. (Holly E. Peck of counsel), for appellants. [Sacco & Fillas, LLP, Whitestone, N.Y.](#) (Bret L. Myerson of counsel), for respondent...

Castro v. Peguero

Supreme Court, Appellate Division, First Department, New York. January 19, 2016 [135 A.D.3d 584](#) 22 N.Y.S.3d 860

Order, Supreme Court, Bronx County (Howard H. Sherman, J.), entered August 20, 2014, which granted defendant's motion for summary judgment dismissing the complaint, unanimously affirmed, without costs. Plaintiff was injured while performing repair work on defendant's house when the ladder he was using, which was provided by his employer, fell over....

...Plaintiff-Appellant, v. Celania PEGUERO , Defendant-Respondent. Jan. 19, 2016. [Sacco & Fillas, LLP, Astoria](#) (Brad S. Levin of counsel), for appellants. Law...

Young Chan Kim v. Hook

Supreme Court, Appellate Division, Second Department, New York. August 10, 2016 [142 A.D.3d 551](#) 36 N.Y.S.3d 401

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Kitzes, J.), dated May 8, 2015, which granted the defendants' separate motions for summary judgment dismissing the complaint insofar as asserted against each of them on the ground that the plaintiff did not sustain a...

...v. Dana S. HOOK, et al., respondents. Aug. 10, 2016. [Sacco & Fillas, LLP, Astoria, NY](#) (Larry I. Badash of counsel), for appellants...

Ramos v. Baig

Supreme Court, Appellate Division, Second Department, New York. December 07, 2016 [145 A.D.3d 695](#) 41 N.Y.S.3d 902

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Lane, J.), entered October 21, 2014, which granted the defendants' motion for summary judgment dismissing the complaint on the ground that the plaintiff did not sustain a serious injury within the meaning of Insurance Law...

...al., respondents (and a third-party action). Dec. 7, 2016. [Sacco & Fillas, LLP, Astoria, NY](#) (Brad S. Levin of counsel), for appellants...

Jordan-Hunte v. City of New York

Supreme Court, Appellate Division, Second Department, New York. March 20, 2013 [104 A.D.3d 818](#) 960 N.Y.S.2d 653

In an action to recover damages for personal injuries, etc., the defendant City of New York appeals, as limited by its brief, from so much of an order of the Supreme Court, Kings County (Ash, J.), dated October 14, 2011, as denied its cross motion for summary judgment dismissing the complaint insofar as asserted against it. ORDERED that the order...

...Seider Dolgow and Suzanne K. Colt of counsel), for appellants. [Sacco & Fillas LLP, Astoria, N.Y.](#) (Kenneth G. Eshak of counsel), for respondents...

Cruz v. Gany

Supreme Court, Appellate Division, Second Department, New York. October 01, 2014 [121 A.D.3d 637](#) 993 N.Y.S.2d 347

TRANSPORTATION - Motor Vehicles. Defendants did not adequately address serious injury claim, precluding summary judgment in suit arising from car accident.

...no-fault insurance law. McKinney's Insurance Law §5102(d) [Sacco & Fillas](#), LLP, Astoria, N.Y. (Larry I. Badash of counsel), for appellants...

Cabrera v. Magussen

Supreme Court, Appellate Division, Second Department, New York. July 08, 2015 [130 A.D.3d 664](#) 11 N.Y.S.3d 862

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Kings County (Solomon, J.), dated March 27, 2014, which granted the defendant's motion for summary judgment dismissing the complaint and denied his cross motion for summary judgment on the issue of liability. ORDERED that the order is...

...CABRERA , appellant, v. Jack C. MAGUSSEN, respondent. July 8, 2015. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Nissim Abaev of counsel), for appellant. Laurie...

Blagrove v. Metropolitan Transp. Authority

Supreme Court, Appellate Division, Second Department, New York. November 15, 2011 [89 A.D.3d 880](#) 933 N.Y.S.2d 84

TORTS - Premises Liability. Transit authority was properly denied summary judgment in trip and fall case.

...Willston Park, N.Y. Robert A. Seeman of counsel), for appellants. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Lamont K. Rodgers of counsel), for respondent...

35. Fekry v. New York City Transit Authority

Supreme Court, Appellate Division, Second Department, New York. July 27, 2010 [75 A.D.3d 616](#) 906 N.Y.S.2d 297

LITIGATION - Summation. Supreme court correcting any prejudice caused by improper comments by plaintiff's counsel during summation.

...McGaw, Jericho, N.Y. (James K. O'Sullivan of counsel), for appellants. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Luigi Brandimarte and Elias N. Fillas of counsel), for respondent. PETER B. SKELOS , J.P., DANIEL D...

Sforza v. Big Guy Leasing Corp.

Supreme Court, Appellate Division, Second Department, New York. May 06, 2008 [51 A.D.3d 659](#) 858 N.Y.S.2d 233

TRANSPORTATION - Motor Vehicles. Fact issues remained as to whether restrictions of range of motion of plaintiff's spine were caused by accident.

...5102 (d). Marjorie E. Bornes , New York, N.Y., for appellants. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Andrew Wiese of counsel), for respondent. PETER...

Salomon v. Prainito

Supreme Court, Appellate Division, Second Department, New York. June 24, 2008 [52 A.D.3d 803](#) 861 N.Y.S.2d 718

REAL PROPERTY - Landlord and Tenant. Whether cylindrical pipe was inherently dangerous when lying in walkway was triable fact issue in tenant's tort action.

...when her foot caught in open end of the pipe. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Lamont K. Rodgers of counsel), for appellants...

Karanikolas v. Elias Taverna, LLC

Supreme Court, Appellate Division, Second Department, New York. May 20, 2015 [128 A.D.3d 905](#) 10 N.Y.S.3d 141

Background: In premises liability action, property owner appealed from order of the Supreme Court, Queens County, Brathwaite Nelson, J., which granted that branch of property owner's motion which was to compel plaintiff to submit to further deposition only to extent of directing a further deposition of plaintiff issue of loss of future earnings....

...Port Chester, N.Y. (Joseph M. Cianflone of counsel), for appellant. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Andrew Wiese of counsel), for plaintiffs-respondents...

Vlachos v. New York City Transit Authority

Supreme Court, Appellate Division, Second Department, New York. May 18, 2016 [139 A.D.3d 938](#) 31 N.Y.S.3d 583

INSURANCE - Automobile. Whether plaintiff sustained serious injury to her left shoulder, within meaning of no-fault law, was material fact issue precluding summary judgment.

...plaintiff's personal injury action. McKinney's Insurance Law §5102(d) [Sacco & Fillas](#), LLP, Astoria, NY (Salvatore A. Asaro of counsel), for appellant...

LeComples v. More Specialized Transport, Inc.

Supreme Court, Appellate Division, Second Department, New York. November 09, 2016 [144 A.D.3d 757](#) 40 N.Y.S.3d 276

In an action to recover damages for personal injuries, the defendant 590 Madison Avenue Associates, L.P., appeals from so much of an order of the Supreme Court, Queens County (Brathwaite Nelson, J.), entered March 18, 2016, as denied its motion for summary judgment dismissing the complaint insofar as asserted against it. ORDERED that the order is...

...Kehoe, Melville, NY (Stephen J. Donnelly of counsel), for appellant. [Sacco & Fillas](#), LLP, Astoria, NY (Jeremy S. Ribakove of counsel), for respondent...

Progressive Northwestern Ins. Co. v. Scott

Supreme Court, Appellate Division, Second Department, New York. December 17, 2014 [123 A.D.3d 932](#) 999 N.Y.S. 2d 442

INSURANCE - Arbitration and Appraisal. UIM claim would not be arbitrated, absent physical contact between insured's motorcycle and alleged hit-and-run vehicle.

...claim for uninsured motorist benefits. McKinney's Insurance Law §5217 [Sacco & Fillas](#), LLP, Astoria, N.Y. (Lamont K. Rodgers of counsel), for appellant...

Uribe v. Jimenez

Supreme Court, Appellate Division, Second Department, New York. November 25, 2015 [133 A.D.3d 844](#) 20 N.Y.S.3d 555

INSURANCE - Judgment. Whether plaintiff sustained fracture of her eighth right rib as a result of accident was material fact issue precluding summary judgment.

...plaintiff's personal injury action. McKinney's Insurance Law §5102(d) [Sacco & Fillas](#), LLP, Astoria, N.Y. (Nissim Abaev of counsel), for appellant. Baker...

Williams v. Shiva Ambulette Service Inc.

Supreme Court, Appellate Division, First Department, New York. January 29, 2013 [102 A.D.3d 598](#) 959 N.Y.S.2d 53

HEALTH - Sanctions. Medical malpractice complaint would be stricken due to plaintiff's bad faith noncompliance with court orders and discovery.

...court orders prior to alleged surgery. McKinney's CPLR 3126(3) [Sacco & Fillas](#), LLP, Astoria (John P. Gloumis of counsel), for appellant. Lewis...

Doulos v. Rivera

Supreme Court, Appellate Division, Second Department, New York. April 02, 2014 [116 A.D.3d 656](#) 983 N.Y.S.2d 305

LITIGATION - Judgment. Defendants in personal injury action failed to meet their prima facie burden of showing that plaintiff did not sustain serious injury.

...result of subject accident. McKinney's Insurance Law §5102(d) [Sacco & Fillas](#), LLP, Astoria, N.Y. (Kenneth G. Esehak of counsel), for appellant...

Kakaroubas v. Limberatos

Supreme Court, Appellate Division, Second Department, New York. February 09, 2010 [70 A.D.3d 781](#) 894 N.Y.S.2d 523

TRANSPORTATION - Motor Vehicles. Evidence did not warrant a jury instruction that a driver having a green light was required to use reasonable care.

...was which vehicle entered the intersection against a red light. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Bret L. Myerson of counsel), for appellant...

Stilianudakis v. Tower Ins. Co. of New York

Supreme Court, Appellate Division, Second Department, New York. December 15, 2009 [68 A.D.3d 973](#) 889 N.Y.S.2d 854

In an action, inter alia, to recover damages for negligent misrepresentation, the defendant Avenia Ins. Agency, Inc., appeals, as limited by its brief, from so much of an order of the Supreme Court, Queens County (Weiss, J.), entered July 31, 2008, as denied that branch of its motion which was to dismiss the third cause of action to recover damages...

...A. Donnelly and Sarah M. Ziolkowski of counsel), for appellant. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Luigi Brandimarte of counsel), for respondent. In...

Pipelias v. City of New York

Supreme Court, Appellate Division, Second Department, New York. October 03, 2012 [99 A.D.3d 685](#) 952 N.Y.S.2d 87

LITIGATION - Judgment. Trial court was required to afford plaintiff opportunity to present evidence to jury before granting defendants' motions for JMOL.

...opposing party in the action is improbable. McKinney's CPLR 4401 [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Lamont K. Rodgers of counsel), for appellant...

Tsikotis v. Pioneer Bldg. Corp.

Supreme Court, Appellate Division, Second Department, New York. June 20, 2012 [96 A.D.3d 936](#) 946 N.Y.S.2d 491

In an action, inter alia, to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Brathwaite-Nelson, J.), entered June 22, 2011, which denied her motion pursuant to CPLR 5015 to vacate an order of the same court entered June 28, 2010, granting the unopposed motion of the defendants for...

...v. PIONEER BUILDING CORPORATION , et al., respondents. June 20, 2012. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Luigi Brandimarte of counsel), for appellant. McGaw...

Falvo v. Cerra

Supreme Court, Appellate Division, Second Department, New York. April 15, 2015 [127 A.D.3d 919](#) 6 N.Y.S.3d 643

LITIGATION - Judgment. Default judgment entered by court that did not have personal jurisdiction over defendant was a ity.

...vacatur of the default. McKinney's CPLR 5015(a)(1, 4) [Sacco & Fillas](#), LLP, Astoria, N.Y. (Luigi Brandimarte of counsel), for appellant. Pliskin...

Abaev v. Reddy Raw, Inc.

Supreme Court, Appellate Division, Second Department, New York. January 18, 2017 [146 A.D.3d 846](#) 45 N.Y.S.3d 528

TRANSPORTATION - Motor Vehicles. Fact issues precluded summary judgment on issue of liability in personal injury action arising from rear-end automobile collision on freeway.

...and operator of the other vehicle involved in the accident. [Sacco & Fillas](#), LLP, Astoria, NY (Brad S. Levin of counsel), for appellant...

O'Donnell v. Frangakis

Supreme Court, Appellate Division, Second Department, New York. September 21, 2010 [76 A.D.3d 999](#) 908 N.Y.S. 2d 589

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Siegal, J.), dated October 20, 2009, which granted the defendant's motion to vacate an order of the same court dated May 14, 2009, granting the plaintiff's unopposed motion for leave to enter a judgment against her upon...

...M. LaSpina and Stephen J. Smith of counsel), for appellant. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Luigi Brandimarte of counsel), for respondent. In...

In re Seneca One, LLC

Supreme Court, Kings County, New York. February 21, 2013 [38 Misc.3d 1225\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 967 N.Y.S.2d 870

Petitioner herein, Seneca One, LLC (hereinafter "Petitioner") moves by Order to Show Cause dated July 16, 2012, and submitted to this Court for determination on December 20, 2012, for an Order declaring that the sale and transfer of structured settlement payment rights pursuant to a Transfer and Assignment Agreement by and between Ilma Ramos, as the...

...Respondents. No. 14315/12. Feb. 21, 2013. Luigi Brandimarte , Esq., [Sacco & Fillas](#), LLP, Astoria, NY, Attorneys for Petitioner. Ilma Ramos, Brooklyn, NY...

Boone v. City of New York

Supreme Court, Appellate Division, Second Department, New York. February 14, 2012 [92 A.D.3d 709](#) 938 N.Y.S.2d 474

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Kings County (Ash, J.), dated February 9, 2011, which granted the motion of the defendant New York City Housing Authority to dismiss the complaint insofar as asserted against it upon the plaintiff's failure to appear for an examination...

...defendants, New York City Housing Authority, respondent. Feb. 14, 2012. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Lamont K. Rodgers of counsel), for appellant...

Kiskiel v. Stone Edge Management, Inc.

Supreme Court, Appellate Division, Second Department, New York. June 03, 2015 [129 A.D.3d 672](#) 11 N.Y.S.3d 207

TORTS - Premises Liability. Manager of condominium complex did not have actual or constructive notice of puddle of wet paint in parking lot.

...McCarthy & Associates, Melville, N.Y. (Marianne Arcieri of counsel), for appellant. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Albert R. Matuza, Jr. , of counsel), for...

Reid v. City of New York

Supreme Court, Appellate Division, Second Department, New York. March 01, 2017 --- N.Y.S.3d ---- 2017 N.Y. Slip Op. 01581

TRANSPORTATION - Motor Vehicles. City failed to demonstrate, prima facie, that conduct of operator of police vehicle was exempted from rules of road for emergency vehicles.

...of care. McKinney's Vehicle and Traffic Law §1104(b) [Sacco & Fillas](#), LLP, Astoria, NY (James P. Benintendi of counsel), for appellants...

Singer Asset Finance Co., L.L.C. v. Scott

Supreme Court, Rensselaer County, New York. January 06, 2006 [10 Misc.3d 1070\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 814 N.Y.S.2d 565

Defendant Thomas L. Scott (hereinafter "Scott") is the recipient of payments under a structured settlement which was created in 1982. On September 20, 1999 Scott entered into a loan agreement under which he borrowed the sum of \$49,750 from Merrick Bank Corporation, plaintiff's predecessor. The loan was to be repaid from two lump sum payments due...

...Company of New York, Defendant. No. 211646. Jan. 6, 2006. [Sacco & Fillas, LLP](#) Tonino [Sacco](#) , Esq., of Counsel), Whitestone, attorneys for plaintiff. Drinker, Biddle & Reath...

Singer Asset Finance Co., LLC v. Melvin

Supreme Court, Appellate Division, First Department, New York. October 05, 2006 [33 A.D.3d 355](#) 822 N.Y.S.2d 68

COMMERCIAL LAW - Contracts. Agreement for sale of right to future payments pursuant to structured settlement agreement was valid and enforceable.

...is barred by existence of valid and enforceable written contract. [Sacco & Fillas, LLP](#) , Whitestone (Tonino [Sacco](#) of counsel), for appellants. MARLOW , J.P., WILLIAMS GONZALEZ SWEENEY , JJ...

Jones v. Vialva-Duke

Supreme Court, Appellate Division, Second Department, New York. May 29, 2013 [106 A.D.3d 1052](#) 966 N.Y.S.2d 187

TRANSPORTATION - Motor Vehicles. Genuine issue of material fact existed as to what actions defendant took to avoid collision, precluding summary judgment.

...personal and property injuries resulting from a motor vehicle accident. [Sacco & Fillas LLP](#), Astoria, N.Y. (Brian Barnwell of counsel), for appellants. Richard...

Caban v. Mastro Simone

Supreme Court, Appellate Division, Second Department, New York. June 10, 2015 [129 A.D.3d 757](#) 10 N.Y.S.3d 615

LITIGATION - Judgment. In action to recover damages for personal injuries, defendant did not have good cause to file untimely motion for summary judgment.

...Tambasco, Melville, N.Y. Susan J. Mitola], of counsel), for appellants. [Sacco & Fillas, LLP](#), Astoria, N.Y. (Sinan Aydiner of counsel), for respondent. REINALDO...

Patrikis v. Arniotis

Supreme Court, Appellate Division, Second Department, New York. June 17, 2015 [129 A.D.3d 928](#) 12 N.Y.S.3d 174

TORTS - Negligence. Fact issues as to cause of worker's fall from ladder precluded summary judgment on negligence claim against homeowners.

...where negligence and causation can be established with circumstantial evidence. [Sacco & Fillas, LLP](#), Astoria, N.Y. (Andrew Wiese of counsel), for appellants. Gladstein...

Taveras v. Martin

Supreme Court, Appellate Division, Second Department, New York. September 02, 2008 [54 A.D.3d 667](#) 863 N.Y.S.2d 475

TRANSPORTATION - Motor Vehicles. Defendant was entitled to missing witness charge, in personal injury action arising out of motor vehicle accident.

...mistrial did not result in a substantial possibility of injustice. [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Christopher J. Ruckh of counsel), for appellants...

Fernandez v. City of New York

Supreme Court, Appellate Division, Second Department, New York. February 18, 2015 [125 A.D.3d 800](#) 4 N.Y.S.3d 259

TORTS - Premises Liability. Store operator failed to establish, prima facie, that it did not begin snow removal or exacerbate icy conditions on which patron slipped.

...storm-in-progress rule in patron's slip-and-fall action. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Si Aydiner of counsel), for appellant. DeSena...

Gomez v. Davis

Supreme Court, Appellate Division, First Department, New York. January 05, 2017 [146 A.D.3d 456](#) 45 N.Y.S.3d 399

TRANSPORTATION - Motor Vehicles. Fact issues precluded summary judgment in action alleging spine injuries arising out of automobile accident.

...days after the accident. McKinney's Insurance Law §5102(d) [Sacco & Fillas](#), LLP, Astoria (Ying Hua Huang of counsel), for appellant. Katz...

Rivera v. Ayala

Supreme Court, Appellate Division, First Department, New York. May 15, 2012 [95 A.D.3d 622](#) 944 N.Y.S.2d 123

LITIGATION - Appeals. Dismissal of plaintiff's prior appeal precluded consideration of claims that could have been raised in the prior appeal.

...than two-year delay in moving to renew that motion. [Sacco & Fillas](#), LLP, Whitestone (Lamont K. Rodgers of counsel), for appellant. Epstein...

Nelson v. Tamara Taxi Inc.

Supreme Court, Appellate Division, First Department, New York. December 31, 2013 [112 A.D.3d 547](#) 978 N.Y.S.2d 36

TRANSPORTATION - Motor Vehicles. Fact issues barred summary judgment in favor of owner and operator of taxicab, in personal injury action.

...driver's personal injury action. McKinney's Insurance Law §5102(d) [Sacco & Fillas](#), LLP, Astoria (Andrew Wiese of counsel), for appellant. Baker, McEvoy...

Defina v. Daniel

Supreme Court, Appellate Division, Second Department, New York. June 08, 2016 [140 A.D.3d 825](#) 33 N.Y.S.3d 421

TRANSPORTATION - Motor Vehicles. Plaintiff was entitled to renew opposition to defendant's motion for summary judgment on action seeking to recover under No Fault law.

...on parkway entrance ramp. McKinney's Insurance Law §5102(d) [Sacco & Fillas](#), LLP, Astoria, N.Y. (Si Aydiner of counsel), for appellant. Russo...

Graeber-Nagel v. Naranjan

Supreme Court, Appellate Division, Second Department, New York. December 26, 2012 [101 A.D.3d 1078](#) 956 N.Y.S.2d 530

LITIGATION - Judgment. Existence of genuine issue of material fact precluded summary judgment in personal injury action.

...showing that he or she is free from comparative fault. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Lamont K. Rodgers of counsel), for appellant...

Singer Asset Finance Co., LLC v. Scott

Supreme Court, Appellate Division, Third Department, New York. March 22, 2007 [38 A.D.3d 1120](#) 832 N.Y.S.2d 326

COMMERCIAL LAW - Contracts. Creditor failed to establish that it had valid and enforceable loan contract with borrower.

...right to accelerate, assign, or transfer his interest in payments. [Sacco & Fillas, L.L.P.](#), New York City (Adam V. Zoldessy of counsel), for...

Varveris v. Franco

Supreme Court, Appellate Division, Second Department, New York. March 30, 2010 [71 A.D.3d 1128](#) 898 N.Y.S.2d 213

TRANSPORTATION - Motor Vehicles. Plaintiff failed to show she sustained a serious injury in motor vehicle accident.

...the no-fault law. McKinney's Insurance Law §5102(d) [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Lamont K. Rodgers of counsel), for appellants...

Maragos v. Getty Petroleum Corp.

Supreme Court, Appellate Division, Second Department, New York. March 24, 2003 [303 A.D.2d 652](#) 757 N.Y.S.2d 316

LITIGATION - Motion Practice. Plaintiffs were entitled to leave to renew their motion to restore action to trial calendar.

...abandon, and a lack of prejudice to the defendants. Tonino [Sacco, P.C.](#) , Whitestone, N.Y. (Elias N. [Fillas](#) of counsel), for appellants. Robert G. Del Gadio , East Meadow...

Adrianis v. Fox

Supreme Court, Appellate Division, Second Department, New York. June 20, 2006 [30 A.D.3d 550](#) 817 N.Y.S.2d 374

LITIGATION - Judgment. Motion for summary judgment in personal injury action was premature.

...Lake Success, N.Y. Marshall D. Sweetbaum] of counsel), for appellants. [Sacco & Fillas, LLP](#) , Whitestone, N.Y. (Andrew Wiese of counsel), for respondents. James...

Crespo v. Elrac, Inc.

Supreme Court, Appellate Division, Second Department, New York. May 22, 2007 [40 A.D.3d 907](#) 837 N.Y.S.2d 182

TRANSPORTATION - Motor Vehicles. Summary judgment motion in personal injury action was untimely.

...cause, to submit such untimely motion. McKinney's CPLR 3212 (a). [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Luigi Brandimarte of counsel), for appellant. Carmen...

Kelly v. Karsenty

Supreme Court, Appellate Division, Second Department, New York. May 21, 2014 [117 A.D.3d 912](#) 986 N.Y.S.2d 227

LITIGATION - Venue. Venue was proper, where plaintiff established he had secondary residence in forum county.

...as required to establish venue in Queens County was proper. [Sacco & Fillas, LLP](#), Astoria, N.Y. (Si Aydiner of counsel), for appellant. Martyn...

LaMarre v. Michelle Taxi, Inc.

Supreme Court, Appellate Division, Second Department, New York. March 24, 2009 [60 A.D.3d 911](#) 875 N.Y.S.2d 268

TRANSPORTATION - Motor Vehicles. Physician's summary judgment affirmation did not raise triable issue as to whether he sustained serious injury in accident.

...York, N.Y. (Stacy R. Seldin of counsel), for appellants-respondents. [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Lamont K. Rodgers of counsel), for respondent...

Seneca One, LLC v. D.C., Mayflower Assignment Corp.

Supreme Court, Bronx County, New York. February 15, 2012 [34 Misc.3d 1236\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 950 N.Y.S.2d 494

Petitioners' application to approve a transfer of structured settlement payments from Respondent, D.C., to SENECA ONE, LLC ("Seneca"), is GRANTED to the extent that this Court will approve a transaction that will cover three months of mortgage payments, which will allow D.C. to become current on her mortgage obligation and prevent her home from...

...Respondents. No. 260887/11. Feb. 15, 2012. Brian S. Vidas , [Sacco & Fillas](#), LLP, Whitestone, Attorney for Petitioner. D.M.C., Respondent, Pro Se. KENNETH...

Guadalupe v. New York City Transit Authority

Supreme Court, Appellate Division, Second Department, New York. January 17, 2012 [91 A.D.3d 716](#) 936 N.Y.S.2d 314

TRANSPORTATION - Carriers. In bus passenger's personal injury action, city transit authority established entitlement to judgment as a matter of law.

...anyone else on bus move as result of bus stopping. [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Lamont K. Rodgers of counsel), for appellant...

Altinel v. John's Farms

Supreme Court, Appellate Division, Second Department, New York. January 22, 2014 [113 A.D.3d 709](#) 979 N.Y.S.2d 360

TORTS - Premises Liability. Whether grocery store operators had constructive notice of muddy water in produce aisle was fact issue.

...fall precluded summary judgment in patron's slip-and-fall action. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Kenneth G. Esehak of counsel), for appellant...

Kougianos v. Nassau County Dept. of Public Works

Supreme Court, Nassau County, New York. April 05, 2011 [31 Misc.3d 1206\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 927 N.Y.S.2d 816

Upon the foregoing papers, the application by the Petitioner (incorrectly referred to as "Plaintiff" in the caption), NIKOLAS KOUGIANOS, seeking an Order, pursuant to General Municipal Law § 50-e (5), granting the Petitioner leave to serve a late Notice of Claim, is decided as hereinafter provided. The Petitioner seeks leave to file and serve a...

...Defendant. No. 021238/10. April 5, 2011. Si Aydiner , Esq., [Sacco & Fillas](#), LLP, Whitestone, Counsel for Petitioner Nikolas Kougianos. John Ciampoli Alan...

Sperling v. Akesson

Supreme Court, Appellate Division, Second Department, New York. March 20, 2013 [104 A.D.3d 840](#) 961 N.Y.S.2d 529

TRANSPORTATION - Judgment. Motorist's summary judgment evidence was insufficient to establish his freedom from comparative fault.

...N.Y. (Patricia McDonagh and Dennis Bartling of counsel), for appellants. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Andrew Wiese and Albert Matusza of counsel)...

Gerinshteyn v. Lower Manhattan Development Corp.

Civil Court, City of New York, New York County. March 26, 2008 [19 Misc.3d 1109\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 859 N.Y.S.2d 902

Claimant brings this Small Claims action to recover \$969.11 for damages caused to his automobile on August 18, 2007 as a result of the negligence of the defendant. Defendant is the owner of the former Deutsche Bank building (hereinafter the "building"). On August 18, 2007 Claimant parked his 2005 Toyota Camry LE automobile on Greenwich street near...

...SCNY 4772/07. March 26, 2008. Leonid Gerinshteyn, pro se. [Sacco & Fillas, LLP](#), By Andrew Wiese , Esq., White Stone , Attorneys for defendant...

Quizhpe v. Luvin Const.

Supreme Court, Appellate Division, Second Department, New York. February 16, 2010 [70 A.D.3d 912](#) 895 N.Y.S.2d 490

TRANSPORTATION - Motor Vehicles. Trial court committed reversible error in granting relief based upon arguments not raised in motion for summary judgment.

...recovery for injuries allegedly sustained when minivan rolled across roadway. [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Andrew Wiese of counsel), for appellant. Weiner...

Lagredelle v. Didier

Civil Court, City of New York, Queens County. April 08, 2016 [51 Misc.3d 1224\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 41 N.Y.S.3d 449

Upon the foregoing cited papers, the decision and order on this motion by plaintiff, pursuant to CPLR § 5015(a), to vacate and set aside the judgment entered on January 29, 2015 dismissing the plaintiff's complaint, is disposed of as follows: By order dated October 20, 2014, the Hon. Ulysses Leverett granted the motion of defendant, Theresa R....

...Theresa R. Gallo, Defendant. No. TS300216/14. April 8, 2016. [Sacco & Fillas, LLP](#) by Jeremy S. Ribakove , Esq., Astoria, for Plaintiff, Harry...

Song v. New York City Transit Authority

Supreme Court, New York County, New York. March 24, 2014 [43 Misc.3d 1201\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 997 N.Y.S.2d 101

In this action alleging personal injuries resulting from a motor vehicle collision, defendant New York City Transit Authority moves to dismiss the action as time-barred. The issue presented is whether the statute of limitations in this action was tolled by virtue of executive orders that Governor Cuomo issued in connection with Hurricane Sandy....

...Defendant 's Vehicle , Defendants. No. 151821/2013. March 24, 2014. [Sacco & Fillas, LLP](#) by Larry I. Badash , Esq., Astoria,, for plaintiff. Wallace...

Lump Sum Capital, LLC v. Ciemielewski

Supreme Court, Broome County, New York. January 22, 2008 [18 Misc.3d 1120\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 859 N.Y.S.2d 896

Petitioner, Lump Sum Capital, LLC, moves for judicial approval of the proposed transfer of certain future payment rights of Brian K. Ciemielewski under a structured settlement agreement in exchange for the present payment of a discounted lump sum (General Obligations Law § 5-1701 et seq.). Mr. Ciemielewski, currently age 41, obtained a structured...

...Benefits Services Company, Respondents. No. 2007-3026. Jan. 22, 2008. [Sacco & Fillas, LLP](#) by Luigi Brandimarte , Esq., of Counsel, Whitestone, for Petitioner...

Ortiz v. Salahuddin

Supreme Court, Appellate Division, First Department, New York. January 31, 2013 [102 A.D.3d 617](#) 959 N.Y.S.2d 64

TRANSPORTATION - Motor Vehicles. Issues of fact existed as to whether motorist's right knee injury was serious within meaning of the No-Fault Law.

...the No-Fault Law. McKinney's Insurance Law §5102(d) [Sacco & Fillas](#) LLP, Astoria (Si Aydiner of counsel), for appellant. Baker, McEvoy...

Franco v. Kaled Management Corp.

Supreme Court, Appellate Division, Second Department, New York. June 22, 2010 [74 A.D.3d 1142](#) 903 N.Y.S.2d 512

LABOR AND EMPLOYMENT - Employer's Liability. Triable issues existed as to whether condominium employee was a special employee under workers' compensation law.

...against condominium. McKinney's Workers' Compensation Law §§11 29 (6). [Sacco & Fillas](#), LLP, Whitestone, N.Y. (Paul Polios of counsel), for respondent. Flynn...

Joseph v. Baksh

Supreme Court, Appellate Division, Second Department, New York. March 30, 2016 [137 A.D.3d 1220](#) 28 N.Y.S.3d 697

TRANSPORTATION - Motor Vehicles. Resettlement order improperly changed substance of Supreme Court's previous order denying defendant's motion for summary judgment.

...McKinney's Insurance Law §5102(d) McKinney's CPLR 5019(a) [Sacco & Fillas](#), LLP, Astoria, N.Y. (Albert R. Matuza, Jr. , of counsel), for...

Deutsche Bank Trust Co. Americas v. Vitellas

Supreme Court, Appellate Division, Second Department, New York. July 01, 2015 [131 A.D.3d 52](#) 13 N.Y.S.3d 163

BANKRUPTCY - Discharge. Mortgage note discharged in bankruptcy may be assigned, so as to convey to assignee standing to commence foreclosure action.

...the note was to be enforced against him in personam. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Si Aydiner and Elias N. [Fillas](#) of counsel), for appellants. Hinshaw & Culbertson LLP, New York, N.Y....

Zervos v. Vargas

Supreme Court, Appellate Division, Second Department, New York. April 24, 2013 [105 A.D.3d 1040](#) 964 N.Y.S.2d 562

TRANSPORTATION - Venue. Transfer of venue from Kings to Nassau County was warranted as of right in personal injury suit arising from car crash.

...P.C., New York, N.Y. William Thymius of counsel), for appellants. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Larry I. Badash of counsel), for respondent...

Kuterman v. City of New York

Supreme Court, Appellate Division, Second Department, New York. October 01, 2014 [121 A.D.3d 646](#) 993 N.Y.S.2d 361

Background: In action to recover damages for personal injuries and related proceeding for leave to serve late notice of claim, the Supreme Court, Kings County, Baynes, J., granted petition for leave to serve late notice of claim and denied city's motion to dismiss complaint in action for plaintiff's failure to serve timely notice of claim. City...

...Edward F.X. Hart and Julie Steiner of counsel), for appellant. [Sacco & Fillas](#), LLP, Astoria, N.Y. (Nissim Abaev of counsel), for respondent. REINALDO...

Luma v. ELRAC, Inc.

Supreme Court, Kings County, New York. May 29, 2008 [19 Misc.3d 1138\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 862 N.Y.S.2d 815

The pending motions raise questions as to the evidentiary burden of a defendant seeking dismissal pursuant to CPLR 3211(a)(7) by reason of the Graves Amendment; and as to the evidentiary burden of a plaintiff seeking leave to amend the complaint pursuant to CPLR 3025(b) in order to avoid dismissal on that ground. Plaintiff's Verified Complaint...

...No. 38515/06. May 29, 2008. Andrew Wiese , Esq. of [Sacco & Fillas, LLP](#), for Plaintiff. Jacob J. Wisniewski , Esq. of Peknic, Peknic...

Pinos v. Clinton Cafe & Deli, Inc.

Supreme Court, Appellate Division, Second Department, New York. May 25, 2016 [139 A.D.3d 1034](#) 33 N.Y.S.3d 322

BUSINESS ORGANIZATIONS - Venue. LLC did not meet its burden of demonstrating that Kings County was improper venue and that Orange County was proper venue.

...proper juncture may be raised for first time on appeal. [Sacco & Fillas, LLP](#), Bayside, N.Y. (Andrew Wiese of counsel), for appellants. Litchfield...

Vavoulis v. Adler

Supreme Court, Appellate Division, Second Department, New York. September 25, 2007 [43 A.D.3d 1154](#) 842 N.Y.S. 2d 526

TRANSPORTATION - Motor Vehicles. Genuine issue of material fact existed whether last vehicle in rear-end accident proximately caused injuries in lead vehicle.

...J. Walker and Michael J. Bartnicki of counsel), for appellants. [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Andrew Wiese of counsel), for respondent. A...

Hanakis v. DeCarlo

Supreme Court, Appellate Division, Second Department, New York. September 26, 2012 [98 A.D.3d 1082](#) 951 N.Y.S. 2d 206

TRANSPORTATION - Motor Vehicles. Plaintiffs established their prima facie entitlement to judgment as a matter of law in personal injury case.

...Buratti , Hicksville, N.Y. (Scott R. Dinstell of counsel), for appellants. [Sacco & Fillas, LLP](#), Whitestone, N.Y. (Luigi Brandimarte of counsel), for plaintiffs-respondents...

Lazides v. P & G Enterprises

Supreme Court, Appellate Division, Second Department, New York. January 13, 2009 [58 A.D.3d 607](#) 871 N.Y.S.2d 357

LITIGATION - Judgment. Doctrine of res judicata precluded plaintiff's challenge to the propriety of deed transfer.

...were or could have been raised in the prior action. [Sacco & Fillas LLP](#), Whitestone, N.Y. (Luigi Brandimarte of counsel), for appellants. Salzman...

Oglivie v. Echavarria

Supreme Court, New York County, New York. October 09, 2008 [21 Misc.3d 1114\(A\)](#) (Table, Text in WESTLAW), Unreported Disposition 873 N.Y.S.2d 235

Defendants, Onofrea Echavarria and Elissa L. Montas, move, pursuant to CPLR § 3212, for summary judgment dismissing the complaint on the ground that the plaintiff, Ayisha G. Oglivie, has not met the serious injury threshold as defined by New York's No-Fault Law (Insurance Law § 5102[d]). Defendants contend that, based upon medical examinations and...

...Elissa L. Montas, Defendants. No. 105216/06. Oct. 9, 2008. [Sacco & Fillas Llp](#), Whitestone, NY, for Plaintiff. Robert P. Tusa , Esq.,-Law...

Fermin v. City of New York

Supreme Court, Kings County, New York. September 03, 2010 **28 Misc.3d 1235(A)** (Table, Text in WESTLAW), Unreported Disposition 960 N.Y.S.2d 341

Upon the foregoing papers, defendants, the City of New York (City) and Millennium Pharmacy, Inc. (Millennium), move and cross-move, respectively, for an order, pursuant to CPLR 3212, granting them summary judgment dismissing the complaint of plaintiff, Dora Fermin (plaintiff). Plaintiff separately moves, pursuant to CPLR 3025(b), for leave to amend...

...Inc. , Defendants. No. 11171/08. Sept. 3, 2010. Paul Polios , **Sacco & Fillas**, LLP, Whitestone, NY, Attorneys for Plaintiff. Edward T. Timbers , Corporation...

In re Advance Funding LLC

Supreme Court, Broome County, New York. April 26, 2016 **51 Misc.3d 1215(A)** (Table, Text in WESTLAW), Unreported Disposition 38 N.Y.S.3d 830

This petition seeks judicial approval of the proposed transfer of a portion of the future payments due Katherine Lozano a/k/a Katherine J. Thoby a/k/a Kasterine J. Thoby (hereinafter Ms. Lozano) under a structured settlement agreement in exchange for the present payment of a discounted lump sum (General Obligations Law § 5-1701 et seq.). This...

...No. EFCA2016000055. April 26, 2016. Luigi Brandimarte , Esq., of Counsel, **Sacco & Fillas**, LLP, Astoria, NY, for Advance Funding LLC. Katherine Lozano, pro...