
LIABILITY - NEW YORK

Stora v. City of New York

Supreme Court, Appellate Division, First Department, New York - May 20, 2014 - N.Y.S.2d - 2014 N.Y. Slip Op. 03613

Men’s shelter resident brought negligence action against city, non-profit organization that ran shelter, and security contractor that provided security services for shelter, seeking damages for injuries sustained when he was shot by another resident. Organization cross-claimed against contractor for contractual indemnification, and cross-motions for summary judgment were filed. The Supreme Court, New York County, granted contractor’s motion and denied city’s and organization’s motions. City and organization appealed.

The Supreme Court, Appellate Division, held that:

- City could not be held liable for resident’s injuries;
- Fact issues precluded summary judgment on resident’s negligence claim against organization; and
- Fact issues precluded summary judgment on organization’s contractual indemnification claim against contractor.

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