

Bond Case Briefs

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LIABILITY - NEW YORK

Telsaint v. City of New York

Supreme Court, Appellate Division, Second Department, New York - August 27, 2014 - N.Y.S.2d - 2014 N.Y. Slip Op. 05974

Pedestrian brought slip and fall action against city. Following jury verdict in favor of pedestrian, the Supreme Court, Kings County, granted city's motion to set aside verdict. Pedestrian appealed.

The Supreme Court, Appellate Division, held that:

- Jury rationally could have concluded that city had constructive notice of icy condition that caused pedestrian to slip and fall on sidewalk, and
- Damages award deviated materially from what would be reasonable compensation.

Damages awarded to pedestrian in slip and fall action against city in amount of \$750,000 for past pain and suffering and \$1,500,000 for future pain and suffering deviated materially from what would be reasonable compensation.