

Bond Case Briefs

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LIABILITY - NEW YORK

Rolle v. JCDecaux Street Furniture New York, LLC

Supreme Court, Appellate Division, Second Department, New York - May 6, 2026 - N.Y.S.3d - 2026 WL 1236893 - 2026 N.Y. Slip Op. 02859

Worker brought action against company that owned bus shelter at time of accident, successor company, city, and city department of transportation to recover damages for negligence and violations of scaffold law, workplace-safety statute applicable to owners and contractors, and statute requiring owners and contractors to provide reasonable and adequate protection and safety for construction workers, arising from injuries that worker allegedly sustained when he was power-washing bus shelter and interior panel fell from shelter and hit his head.

The Supreme Court, Kings County, denied worker's motion for summary judgment and granted defendants' cross-motion for summary judgment. Worker appealed.

The Supreme Court, Appellate Division, held that:

- Defendants were not liable, under scaffold law, for worker's injuries, but
- Denial was warranted of defendants' cross-motion for summary judgment for dismissal of worker's claims for violations of workplace-safety statute applicable to owners and contractors and statute requiring owners and contractors to provide reasonable and adequate protection and safety for construction workers.