

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

D14939  
G/gts

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Argued - March 27, 2007

WILLIAM F. MASTRO, J.P.  
REINALDO E. RIVERA  
MARK C. DILLON  
EDWARD D. CARNI, JJ.

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2006-00278

DECISION & ORDER

Stephanie Schiffer, appellant, v Long  
Island Railroad, et al., respondents.

(Index No. 4298/01)

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Winkler, Kurtz, Winkler & Kuhn, LLP, Port Jefferson Station, N.Y. (Richard D. Winkler of counsel), for appellant.

Curtis, Vasile, Devine & McElhenny, Merrick, N.Y. (Samantha B. Lansky and Patricia D'Antone of counsel), for respondents.

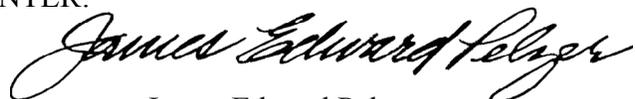
In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Schulman, J.), entered November 25, 2005, which granted the defendants' motion for summary judgment dismissing the complaint.

ORDERED that the order is affirmed, with costs.

The defendants satisfied their burden of demonstrating their entitlement to judgment as a matter of law (*see Alvarez v Prospect Hosp.*, 68 NY2d 320, 324-325; *Winegrad v New York Univ. Med. Ctr.*, 64 NY2d 851, 853). In opposition, the plaintiff failed to raise a triable issue of fact (*see Zuckerman v City of New York*, 49 NY2d 557, 562-563). Accordingly, the Supreme Court properly granted the defendants' motion for summary judgment dismissing the complaint.

MASTRO, J.P., RIVERA, DILLON and CARNI, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 1, 2007

SCHIFFER v LONG ISLAND RAILROAD