

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

D15472
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_____AD3d_____

Submitted - April 27, 2007

WILLIAM F. MASTRO, J.P.
JOSEPH COVELLO
DANIEL D. ANGIOLILLO
THOMAS A. DICKERSON, JJ.

2006-02624

DECISION & ORDER

Ionel Nisipeanu, et al., appellants, v Massachusetts
Mutual Life Insurance Company, et al., respondents.

(Index No. 5553/03)

Dell & Little, LLP, Uniondale, N.Y. (Mitchell Dranow of counsel), for appellants.

Cascone & Kluepfel, LLP, Garden City, N.Y. (Shelly A. Leonard and Leonard M.
Cascone of counsel), for respondents.

In an action to recover damages for personal injuries, etc., the plaintiffs appeal from a judgment of the Supreme Court, Queens County (Sampson, J.), entered February 10, 2006, which, upon a jury verdict, is in favor of the defendants and against them, in effect, dismissing the complaint.

ORDERED that the judgment is affirmed, with costs.

The trial court has broad discretion in determining the scope of permitted cross-examination (*see Feldsberg v Nitschke*, 49 NY2d 636; *Caserta v Levittown School Dist.*, 12 AD3d 549; *Manfredi v Preston*, 246 AD2d 580). The trial court providently exercised its discretion in permitting the questions asked of the plaintiff Ionel Nisipeanu during his cross-examination.

The plaintiffs' remaining contentions are without merit.

MASTRO, J.P., COVELLO, ANGIOLILLO and DICKERSON, JJ., concur.

ENTER:


James Edward Kelly
Clerk of the Court

June 12, 2007

NISIPEANU v MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY