

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

D21142  
W/kmg

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - October 28, 2008

DAVID S. RITTER, J.P.  
ANITA R. FLORIO  
HOWARD MILLER  
EDWARD D. CARNI, JJ.

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2007-09384

DECISION & ORDER

Sonia Celinda Lara, appellant, v Grenadier Realty,  
Corp., et al., respondents, et al., defendant.

(Index No. 4522/05)

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Trolman, Glaser & Lichtman, New York, N.Y. (Michael T. Altman of counsel), for  
appellant.

Brody, Bernard & Branch LLP, New York, N.Y. (Tanya M. Branch and Mary Ellen  
O'Brien of counsel), for respondents.

In an action to recover damages for personal injuries, the plaintiff appeals, as limited  
by her brief, from so much of an order of the Supreme Court, Kings County (Partnow, J.), dated  
September 4, 2007, as granted that branch of the cross motion of the defendants Grenadier Realty  
Corp. and Ocean Gate Associates which was for summary judgment dismissing the complaint insofar  
as asserted against them.

ORDERED that the order is reversed insofar as appealed from, on the law, with costs,  
and that branch of the cross motion of the defendants Grenadier Realty Corp. and Ocean Gate  
Associates which was for summary judgment dismissing the complaint insofar as asserted against  
them is denied.

There are issues of fact requiring the denial of that branch of the cross motion of the  
defendants Grenadier Realty Corp. and Ocean Gate Associates which was for summary judgment  
dismissing the complaint insofar as asserted against them (*see Winegrad v New York Univ. Med. Ctr.*,  
64 NY2d 851, 853).

RITTER, J.P., FLORIO, MILLER and CARNI, JJ., concur.

ENTER:

  
James Edward Pelzer

November 18, 2008

LARA v GRENADIER REALTY CORP.

Clerk of the Court

November 18, 2008

LARA v GRENADIER REALTY CORP.