

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

D30540  
W/kmb

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

Argued - February 25, 2011

WILLIAM F. MASTRO, J.P.  
CHERYL E. CHAMBERS  
PLUMMER E. LOTT  
JEFFREY A. COHEN, JJ.

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2009-05876

DECISION & ORDER

Marilyn Sacklow, etc., respondent, v Lyla Abramson,  
etc., appellant.

(Index No. 1392/09)

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Boeggeman, George & Corde, P.C., White Plains, N.Y. (Cynthia Dolan of counsel),  
for appellant.

Pazer, Epstein & Jaffe, P.C., New York, N.Y. (Thomas Torto and Jason Levine of  
counsel), for respondent.

In an action, inter alia, to recover damages for personal injuries and wrongful death,  
etc., the defendant appeals from so much of an order of the Supreme Court, Nassau County (Galasso,  
J.), dated May 13, 2009, as granted that branch of the plaintiff's motion which was for summary  
judgment on the issue of liability.

ORDERED that the order is affirmed insofar as appealed from, with costs.

The Supreme Court properly granted that branch of the plaintiff's motion which was  
for summary judgment on the issue of liability (*see Zuckerman v City of New York*, 49 NY2d 557,  
562). The plaintiff established her prima facie entitlement to judgment as a matter of law on the issue  
of liability, and the defendant failed to raise a triable issue of fact in opposition.

MASTRO, J.P., CHAMBERS, LOTT and COHEN, JJ., concur.

ENTER:

  
Matthew G. Kiernan  
Clerk of the Court

March 22, 2011

SACKLOW v ABRAMSON