

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

D34401
O/kmb

_____AD3d_____

Argued - February 24, 2012

WILLIAM F. MASTRO, A.P.J.
L. PRISCILLA HALL
PLUMMER E. LOTT
SANDRA L. SGROI, JJ.

2011-05268

DECISION & ORDER

Emily Ocasio, respondent, v MHR Management, Inc.,
et al., appellants.

(Index No. 2393/09)

Morris Duffy Alonso & Faley, New York, N.Y. (Anna J. Ervolina of counsel), for
appellants.

Oliveri & Schwartz, P.C. (Arnold E. DiJoseph, P.C., New York, N.Y. [Arnold E.
DiJoseph III], of counsel), for respondent.

In an action to recover damages for personal injuries, the defendants appeal from an
order of the Supreme Court, Kings County (Kramer, J.), dated April 11, 2011, which denied their
motion for summary judgment dismissing the complaint.

ORDERED that the order is affirmed, with costs.

The Supreme Court properly determined that there are triable issues of fact requiring
the denial of the defendants' motion for summary judgment dismissing the complaint (*see* CPLR
3212).

MASTRO, A.P.J., HALL, LOTT and SGROI, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

April 10, 2012

OCASIO v MHR MANAGEMENT, INC.