



Allison R. Graffeo

Partner

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Allison Graffeo focuses her legal practice on the defense of medical malpractice and professional liability claims. Additionally, she is experienced in Article 81 proceedings and treatment over objection applications pursuant to the Family Decisions Act. Allison's clients include physicians, nursing and hospital staff, major New York hospitals and health care facilities, nursing homes and community agencies. She is involved in all aspects of litigation, from case inception to trial, and is experienced in appellate practice.

Allison is extremely active in attorney mentoring and education. She has developed and presented CLE courses for attorneys on the topics of litigation and professional liability. She has also given numerous presentations and participated in multiple mock trials at New York area medical institutions for the purpose of educating health care professionals about best practices.

Prior to joining Wilson Elser, Allison was associated with a Manhattan-based medical malpractice defense firm.

Education

- Brooklyn Law School (J.D., 1999)
 - cum laude
- Binghamton University (B.A., 1996)

Bar Admissions

- New York
- Connecticut

Services

- Appellate
- Medical Malpractice & Health Care
- Long-Term Care

Court Admissions

- U.S. District Court, Eastern District of New York

Professional Affiliations

- New York County Lawyers Association
- New York State Bar Association

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America*®, 2023-2026
- Selected for inclusion in *The Best Lawyers in America*® *Women in Law*, 2025

Client Wins

Graffeo Prevails on Unopposed Summary Judgment Motion for Psychiatrist Client in Malpractice Action

Allison Graffeo (Partner-New York, NY) succeeded on an unopposed summary judgment motion in the Supreme Court, Bronx County for Wilson Elser's psychiatrist client. In this medical malpractice matter, the plaintiff sued on behalf of the decedent, the wife of a Brooklyn clergyman and former attorney. The decedent, who was recovering from surgery at a nursing rehab facility, developed sepsis and suffered a stroke. The plaintiff sued the nursing facility and various physicians, including our client, claiming the psychiatrist negligently recommended medication that caused or contributed to the decedent's susceptibility to infection and/or masked her symptoms.

At the close of discovery, all parties moved for summary judgment, and the plaintiff's counsel advised that he would be opposing all motions. Wilson Elser's motion, which was supported by experts in psychiatry and infectious disease medicine, established a prima facie entitlement to summary judgment on both departure and causation grounds. The plaintiff's counsel was ultimately unable to secure expert support in opposition, and the court granted Allison's motion on behalf of our psychiatrist client. Several codefendants remain in the case.

Graffeo Moves for SJ in Bariatric Surgery MedMal Matter, Plaintiff's Counsel Withdraws, Case Dismissed

Allison Graffeo (Partner-New York, NY) prevailed in a matter involving allegations of negligent bariatric surgery performed on a middle-aged woman at a major New York hospital against the hospital and multiple individual providers. The medically diagnosed obese patient, who had undergone prior unsuccessful sleeve gastrectomy, presented for a conversion of her gastric sleeve to a Roux-en-Y bypass. Post-operatively, the patient experienced a gastric leak, resulting in sepsis and additional hospitalizations and surgical procedures. The plaintiff claimed that the surgery was contraindicated, that the leak was

the result of improper surgical technique, and that the defendants failed to timely diagnose the leak. Allison moved for summary judgment on both liability and causation, with the assistance of an expert bariatric surgeon affidavit. She explained the complex anatomical, medical, and surgical concepts underlying the care at issue in a manner understood by lay persons and next demonstrated the absence of any factual dispute concerning the propriety of the care. Allison also addressed the lack of causation. Upon receipt of the motion, plaintiff's counsel (a prominent medical malpractice law firm) apparently could not oppose the motion. Counsel moved to be relieved as attorney of record. That motion was eventually granted and the plaintiff was unable to retain another attorney. The court dismissed the matter.