



## Elizabeth Scoditti

Of Counsel

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Elizabeth Scoditti focuses on effectively managing the litigation process, helping clients to identify and prevent exposures and, if they occur, conclude in outcomes that adhere to prescribed guidelines. She determines likely exposure, identifies strategies and ultimately seeks quick and cost-effective resolutions.

Elizabeth also has experience in the defense of insurance agents and brokers and in insurance coverage. Throughout law school, she gained valuable litigation experience as an intern in the Kings County District Attorney's Office and the Legal Aid Society, where she appeared as counsel of record in child welfare trials.

### Education

- New York Law School (J.D., 2013)
  - Public Interest Fellow, 2012–2013
- Long Island University (B.A., *magna cum laude*, 2010)

### Bar Admissions

- New York

### Professional Affiliations

- American Bar Association

### Awards & Honors

- Selected for inclusion in The Best Lawyers in America® Ones to Watch™, 2024-2025

### Services

- Complex Tort & General Casualty
- National Trial Team

## Client Wins

### **Lum, Stein and Scoditti Secure Jury Defense Verdict for NY's Largest Health Care Provider**

Larry Lum (Partner-New York, NY), Aviva Stein (Partner-White Plains, NY) and Elizabeth Scoditti (Associate-New York, NY) obtained a defense verdict in a premises liability matter in favor of the largest health care provider in New York, in a Richmond County Supreme Court jury trial. The plaintiff was struck by a motor vehicle operated by a co-defendant while walking in or near a crosswalk at the hospital. The plaintiff claimed the roadway was inadequately lit, the crosswalk and traffic signs were defectively designed, and the roadway markings/ signs lacked sufficient conspicuity. Though two light poles in the parking lot near the accident location had been inoperable for years, Larry, Aviva and Elizabeth were able to present evidence that sufficient lighting had remained. After a week-long trial, the jury rendered a verdict in favor of the hospital. The settlement demand to the hospital was never less than \$850,000 throughout the trial.

### **Lum, Stein and Scoditti Score Damages-Only Verdict for Major NY Hospital**

Larry Lum (Partner-New York, NY), Aviva Stein (Partner-White Plains, NY) and Elizabeth Scoditti (Of Counsel-New York, NY) obtained a favorable damages-only verdict in a premises liability case against a member hospital of New York's largest health care provider in Richmond County Supreme Court, 13th Judicial District, New York. An earlier summary judgment decision found the client 100 percent liable for the plaintiff's trip-and-fall accident over an exposed and protruding bolt on the pavement at the hospital entrance. Alleged injuries included three-level disc herniations in the cervical spine requiring anterior fusion surgery at C4-5 and disc replacement at C5-6; torn labrum and arthrodesis/non-union at the acetabulum requiring hip replacement surgery. Plaintiff's counsel asked the jury to award a total of \$3M in pain and suffering damages (\$1M past and \$2M future); the client elected to hand a jury a blank check less than a week before Christmas and refused to authorize any more than \$500,000 to settle – which was never acceptable to the plaintiff. The jury rendered a verdict totaling \$300,000 for past pain and suffering and \$100,000 in future pain and suffering for the next 30 years of the 50-year-old plaintiff's life expectancy. There were no claims for medical bills or lost earnings. The jury determination hinged on whether plaintiff was seeking to recover for preexisting issues or whether the need for surgeries to the hip and neck were only prompted by the accident, with the court charging both aggravation and susceptibility to the jury.

### **Boulé and Scoditti Obtain Jury Verdict in Favor of NY's Largest Health Care Provider**

Eugene Boulé (Partner-New York, NY) and Elizabeth Scoditti (Associate-New York, NY) successfully defended New York's largest health care provider in a premises liability action in Richmond County Supreme Court. The jury returned a verdict in favor of a Staten Island hospital following a one-week trial. The plaintiff claimed she seriously injured herself when she was forced to walk on an uneven, 12-inch wide strip of concrete where no signs or barricades were present to prevent pedestrian access. She further alleged that this strip of concrete was similar in color to the adjacent walkway, thereby appearing to be an extension of the walkway and that the hospital failed to take any measures to ensure this

area was safe. Gene and Elizabeth argued that no reasonable person would assume the 12-inch strip was a walkway, and therefore it was not foreseeable that the plaintiff or anyone else would have walked on it. They also presented the jury with other sensible routes the plaintiff could have taken if she were acting reasonably. The jury concluded that the plaintiff failed to meet her burden of proof with credible evidence and found no negligence on the part of the hospital. The settlement demand to the hospital was never less than \$1.25 million throughout the trial.