



## Kyle Hall

Associate

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Kyle Hall focuses his practice on the defense of claims involving premises liability, construction liability and commercial litigation. He primarily represents construction corporations, property owners and managers. Kyle defends clients in general liability and labor law matters arising from construction site accidents. He brings a wealth of experience to this practice area, having worked as a laborer on construction sites across New York before entering law school. Kyle is OSHA-10 certified, and his familiarity with required safety measures on construction sites enables him to bring a unique perspective to defending claims alleging New York State Labor Law violations. He handles matters from early case evaluation and effectively manages initial liability assessments, development of litigation strategies and critical pleading-stage and pretrial motion practice.

Prior to joining Wilson Elser, Kyle was a law clerk at a boutique trial and litigation firm. During law school, he gained valuable experience working at a labor and employment law firm and as an intern at a personal injury practice. Kyle comes from a long line of military service members and prides himself on being a first-generation attorney.

### Education

- Fordham University School of Law (J.D., 2023)
  - Staff Editor, Intellectual Property, Media & Entertainment Law Journal
  - Dispute Resolution Society, Domestic Arbitration Team
  - Accelerated 3-3 Program Admission
- Fordham University at Rose Hill (B.A., *cum laude*, 2021)
  - Manresa Scholar

### Services

- Complex Tort & General Casualty
- Construction
- Employment & Labor

## Bar Admissions

- New York

## Court Admissions

- New York State Supreme Court, Appellate Division, Second Judicial Department

# Client Wins

## **Cash, Zemsky, and Hall Secure Unanimous Defense Verdict for New York City Casino**

Joshua Cash (Partner-New York, NY), Jessica Zemsky (Partner-White Plains, NY), and Kyle Hall (Associate-New York, NY) secured a unanimous defense verdict in the Supreme Court of New York, Queens County, for Wilson Elser's casino client. The elderly plaintiff in this case alleged that she slipped and fell on water in the casino's food court due to a purported ceiling leak. Plaintiff relied on a water-stained ceiling tile she observed after the fall while looking up, but admitted she never saw water leaking and could not establish how long the condition existed. Surveillance footage was central to the defense. We presented a video showing 44 patrons traversing the area without incident in the 12 minutes before the fall and demonstrated that a separate slip that occurred just minutes earlier in a different location effectively defeated notice. Expert testing further undermined plaintiff's claims: our expert confirmed the floor was slip-resistant even when wet, and on cross-examination, plaintiff's expert conceded his testing did not reveal a hazardous condition and that his leak theory was speculative. The court also denied the plaintiff's request for a missing document charge related to alleged post-incident photographs. We argued that there was no willful or contumacious conduct on our client's part, as the officer who allegedly took the photos was no longer employed, the plaintiff never sought his deposition or the photos, and no trial testimony established that the photos currently exist, an essential requirement under PJI 1:77. The Wilson Elser team ultimately argued that any theories as to how the water got on the floor were merely speculative, no dangerous condition could be pinpointed, and the plaintiff failed to prove notice. Despite the plaintiff's arthroscopic knee surgery and a \$300,000 demand (reduced to \$100,000 during trial), the jury deliberated briefly after rewatching the video and returned a unanimous verdict finding the area reasonably safe.