



Patrick D. Geraghty

Partner

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Patrick Geraghty is regional managing partner of the firm's New York, White Plains and Long Island offices in the New York Metro area. An accomplished civil litigator and an attentive relationship manager, Patrick has 30 years of experience defending claims in the trucking/transportation, real estate and construction industries. He handles matters for clients from inception through resolution by settlement, dispositive motion, trial or mediation/arbitration, actively litigating cases in state and federal courts in New York and New Jersey and overseeing cases in jurisdictions across the country.

A significant portion of Patrick's practice involves the defense of transportation providers and trucking companies. His involvement in such matters often begins as soon as accidents occur by coordinating emergency responses to catastrophic events. This includes accident investigation, expert retention and interacting with law enforcement and governmental investigative agencies, all with a view toward early case assessment and formulation of a litigation strategy. Patrick is called upon to supervise, manage and assess his trucking/transportation clients' loss portfolios through his direct handling and supervision of pending matters and consulting on matters being handled outside the firm through claim review panels. Patrick currently serves as regional counsel for a major food industry distributor, a school bus operator, transit providers and municipal bussing contractors.

Patrick also defends landlords and property owners in general liability, premises security, lead paint poisoning and Labor Law claims, as well as related insurance coverage matters. In addition, he represents a number of amusement/ recreational activity providers such as owners and operators of roller- and ice-skating facilities, inflatable amusements, agritourism attractions, martial arts schools and indoor play facilities. Patrick currently serves as national coordinating counsel for the managing general agent of a real estate insurance program and for a national real estate developer/manager. Patrick's practice also encompasses the defense of sexual abuse claims brought under New York's Child

Services

- Complex Tort & General Casualty
- Construction
- Product Liability, Prevention & Government Compliance
- Transportation

Victims Act and monitoring high-exposure excess casualty matters for the Bermuda and London insurance markets.

Litigation management is one of Patrick's strong suits. He keeps a keen eye on the big picture to avoid unnecessary litigation expenses and maintains regular communication with clients to keep them apprised of the firm's progress on their open matters. He accomplishes this by early collaboration with his clients on case assessment and by establishing and executing litigation strategy.

Education

- New York Law School (J.D., 1995)
 - New York Law School Journal of International and Comparative Law, executive editor
- Stony Brook University (B.A., 1992)

Bar Admissions

- New York
- New Jersey

Court Admissions

- U.S. District Court, District of New Jersey

Professional Affiliations

- DRI: The Voice of the Defense Bar
- National Retail and Restaurant Defense Association

Representative Matters

Secured summary judgment in the Appellate Division Second Department for a roller rink, contending that the plaintiff failed to identify an injury-causing defect in the skating rink and that plaintiff's alternative theory, that the skates provided to her were not properly pled, was not supported by the video evidence secured by the rink operator.

Secured summary judgment in Supreme Court, Nassau County for a retail client sued by a plaintiff alleging that a slip and fall on debris within the defendant's store caused pelvic and spinal fractures. Dismissal was premised on plaintiff's deposition testimony wherein she could not identify the debris that allegedly caused her accident.

Secured summary judgment in Supreme Court, Rockland County for a paving contractor sued by plaintiff who alleged that a paving joint was improperly completed leaving a defect in the roadway. Plaintiff tripped over the defect and suffered a hip fracture. Dismissal was granted based on plaintiff's inability to demonstrate a defect or that the same was caused by our client's negligence.

Secured summary judgment in the United States District Court, Southern District of New York on behalf of a property owner sued by a plaintiff injured while using a recreational fireman's pole within the defendant's premises. Upon entry to defendant's premises and prior to the accident, plaintiff signed a waiver and release absolving the defendant of any negligence. The court held that the waiver and release was unambiguous and enforceable.

Secured summary judgment on behalf of the owner/operator of a self-defense school in a personal injury action brought in New York County Supreme Court by a student at the facility. In granting summary judgment, the court held that the waiver and release executed by plaintiff did not violate the General Obligations Law because participation at the facility was instructional in nature rather than recreational.

Secured a defense verdict in New Jersey Superior Court, Monmouth County, on behalf of a gym operator and personal trainer. Plaintiff alleged that the gym operator failed to properly educate and supervise the trainer. Plaintiff suffered injuries requiring three knee surgeries. The jury found that the defendant's negligence was not the proximate cause of plaintiff's injuries.

Won defense verdict in high-exposure personal injury lawsuit brought in New York Supreme Court, Saratoga County, against a mobile home park operator. Plaintiff alleged that defendant's negligence in maintaining the lot plaintiff's family rented caused him to fall from a lawn tractor he was riding with his father and have his foot amputated by the mower. Successful defense was based on theory of proximate cause.

Obtained a defense verdict on behalf of a landlord defendant after the trial of a personal injury lawsuit brought in New York Supreme Court, Queens County. Plaintiff alleged that negligent maintenance of plumbing in her bathroom made the floor slippery and caused her to fall. The records and testimony of the responding EMT and emergency room nurse demonstrated that the fall did not occur as plaintiff alleged. Jury found negligence against landlord but determined that his negligence was not the proximate cause of plaintiff's injuries.

Obtained favorable decision on behalf of landlord defendant after the trial of a lead paint poisoning lawsuit brought in New York Supreme Court, Monroe County. Plaintiff claimed landlord was negligent for allowing lead paint violations to occur in her apartment on two separate occasions. Defendant argued that plaintiff's damages were speculative and minimal. In the first lead poisoning verdict in Monroe County, the jury awarded plaintiff \$221,000, which was well below the amount sought.

Secured affirmation on appeal to the New York Appellate Division, First Department, of an award of summary judgment on the issue of indemnification secured on behalf of a real estate management company defendant. Plaintiff electrician fell from a ladder due to an alleged defect in the floor over which he was working and sustained a serious back injury. Plaintiff claimed he could no longer work due to his injury and sought \$7 million in damages.

Secured summary judgment on behalf of a mobile home park owner in personal injury

lawsuit brought in New York Supreme Court, Saratoga County. Plaintiff alleged that a staircase entering the defendant's mobile home was not up to code, causing her to trip and fall and sustain a serious knee injury that forced her early retirement. Defense successfully argued that the building code did not apply and that plaintiff was unable to identify the injury-causing defect in the staircase.

Secured dismissal on behalf of defendant in lawsuit brought in New York Supreme Court, Albany County, in which plaintiff tried to set aside a previously negotiated settlement of \$15,000. Immediately after the settlement, plaintiff underwent spinal surgery that required three additional procedures due to complications. Had the court set aside the settlement, exposure would have been in the seven-figure range.

Secured affirmation on appeal to the New York Appellate Division, Second Department, of an award of summary judgment secured on behalf of a grocery retailer in a personal injury lawsuit. Plaintiff tripped on a curb outside of the store and sustained a knee injury that required two surgeries; plaintiff also alleged she suffered from RSD as a result of the fall. Successfully argued that although plaintiff slipped on a painted curb, defendant's painting of the curb did not render it inherently dangerous.

Secured summary judgment on behalf of real estate management company in personal injury lawsuit brought in New York Supreme Court, Queens County. Plaintiff alleged that oil, antifreeze and ice caused him to slip and fall outside of his apartment. Court found that plaintiff's claim was speculative and offered no evidence that defendants breached any duty to plaintiff or had actual or constructive notice of the specific condition that caused the fall.

Secured summary judgment on behalf of educational institution in personal injury lawsuit brought in New York Supreme Court, Suffolk County. Plaintiff sought damages for injuries she allegedly sustained when she tripped on an electrical cable cover while attending a graduation ceremony in a gymnasium. Court found that defendant owed plaintiff no duty of care for placement of the cable cover since defendant was merely a licensee of the gymnasium and did not own, set up or maintain the cable cover.

Secured summary judgment for lack of personal jurisdiction on behalf of Cancun hotel operator in personal injury lawsuit brought in the Eastern District of New York. Plaintiff claimed that defendant hotel was liable for injuries she sustained during a slip and fall accident while on vacation in Mexico.

Secured dismissal of complaint before the New York State Division of Human Rights alleging that respondent real estate management company engaged in unlawful discrimination when it evicted the complainant from her apartment. After investigation, the Division found that complainant was evicted for legitimate reasons, including failure to pay rent and breaking into the building's basement.