



Rachel Budofsky

Of Counsel

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Rachel Budofsky practices in the area of complex tort and general casualty, assisting clients in preventing, mitigating and managing exposure through risk, crises, and claims and litigation management.

Prior to joining Wilson Elser, Rachel was an Assistant Corporation Counsel at the New York City Law Department, first in the Family Court Division and then in the Tort Division. During law school, she was a research assistant, Westlaw Student Representative, and an intern in the Hofstra Law School Mediation Clinic.

Education

- The Maurice A. Deane School of Law at Hofstra University (J.D., 2014)
 - summa cum laude ; notes and comments editor, Hofstra Law Review; Hofstra Law Review Alumni Affairs Committee
- Binghamton University (B.A., 2011)
 - cum laude

Bar Admissions

- New York

Awards & Honors

Selected for inclusion in *The Best Lawyers in America® Ones to Watch™*, 2026

Services

- Complex Tort & General Casualty
- National Trial Team

Client Wins

Lum, Stein and Budofsky Obtain Jury Verdict in Favor of NY's Largest Health Care Provider

New York partners Larry Lum and Aviva Stein and White Plains associate Rachel Budofsky successfully defended New York's largest health care provider serving New York City, Long Island and Westchester County in a premises liability action in Richmond County Supreme Court. The jury returned a verdict in favor of the Staten Island University Hospital following a one-week trial. The plaintiff claimed she seriously injured herself when she slipped and fell on fluid that she believed was leaking from an IV bag because she saw the empty bag and the tubing was laying in the puddle. Larry, Aviva and Rachel established that the plaintiff could not prove her assertion that the fluid was from the bag as opposed to another source and highlighted that when reported to the security officer, the plaintiff never mentioned the IV bag or her assumption that it came from the IV bag and only reported that she fell on a watery substance on the floor. The jury concluded that the plaintiff failed to meet her burden of proof with credible evidence to establish that the hospital created or had notice of the fluid on the floor before her fall and found no negligence on the part of the hospital. The settlement demand was \$1.2 million before the defense verdict.