



Suzanne S. Swanson

Of Counsel

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Suzanne Swanson focuses her practice primarily on the defense of construction accident claims under the New York Labor Law. Prior to joining Wilson Elser, Suzanne worked at an insurance defense firm where she defended clients in a wide range of matters, including construction accidents, premises liability, and automobile accident claims.

Education

- Wayne State University Law School (J.D., 2009)
 - The Wayne Law Review, Senior Articles Editor
- University of Michigan (B.A., 2005)
 - with honors

Bar Admissions

- New York
- Michigan

Professional Affiliations

- State Bar of Michigan

Awards & Honors

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

Languages

- French

Services

- Construction
- National Trial Team

Client Wins

Swanson & Stein Defeat Slippery Argument in Hospital Slip & Fall Case

Suzanne Swanson (Associate-New York) and Aviva Stein (Partner-White Plains | New York) obtained summary judgment in the Supreme Court, Queens County on behalf of our client, one of the top four hospitals in the New York metropolitan area and the state. Plaintiff alleged he slipped on ice on the roof of the hospital parking structure and sustained multiple rib fractures and T9/T10 fractures requiring T8-T11 instrumentation and fusion surgery, and was seeking \$500,000 to resolve the matter. Suzanne and Aviva argued that the hospital could not be liable for plaintiff's alleged slip on ice due to the "storm-in-progress" doctrine, citing to well-settled case law that a landowner may not be held liable for accidents occurring as a result of a storm when there is a storm in progress and for a reasonable time after it has ceased. They presented certified weather records and an affidavit from our weather expert confirming it had been snowing continuously all day and had ended – at most – 90 minutes prior to plaintiff's alleged fall, which was not enough time for the hospital to clear its extensive hospital grounds. The Court found that Suzanne and Aviva had established a prima facie showing of entitlement to summary judgment. Further, the Court found that plaintiff's argument that the precipitation "accumulated on top of areas of old melt that remained on exposed and untreated surfaces" was insufficient to raise a triable issue of fact as to whether the hospital had actual or constructive notice of the condition because "evidence that there was ice in the general vicinity of the accident prior to the storm" is insufficient to raise a triable issue of fact as to whether the defendant had actual or constructive notice of the condition of the specific area within the parking lot where plaintiff allegedly fell.

Boulé and Swanson Obtain Jury Verdict in Assault, Battery, Wrongful Arrest and Malicious Prosecution Case for Major Hospital System

Eugene Boulé (Partner-New York, NY) and Suzanne Swanson (Of Counsel, New York, NY) successfully defended one of New York's largest health care providers in a trial in Richmond County Supreme Court for alleged assault, battery, wrongful arrest, malicious prosecution and intentional infliction of emotional distress by the hospital's security staff. After a trial that included testimony from eight current and former employees of our client, the plaintiff, the plaintiff's wife and a psychologist, the jury returned a unanimous defense verdict on six separate causes of action against the hospital and its staff. Plaintiff's father was a patient at the hospital and plaintiff visited him up to three times per day for several days preceding the incidents that led to a violent altercation between the plaintiff and security. Plaintiff claimed that a doctor intentionally stopped giving his father pain medication in retribution for the plaintiff unwittingly giving a sandwich to a patient who was scheduled to undergo surgery, leading to his distress and persistence in pursuing the hospital staff for treatment of his father. The plaintiff was banned from entering the hospital, which resulted in an altercation with security.

Special thanks to Daphney Lebrun who worked tirelessly in contacting and arranging meetings with more than 20 witnesses in the week prior to trial, and to Suzanne Swanson who did a masterful job in discovery, preparing the case for trial and providing critical support during the trial.

