

# Jennifer M. Meyers

Shareholder

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Westchester – 914.977.7325



Jennifer is a Shareholder in the firm's Casualty Department, where she handles all areas of general liability litigation. She has significant experience in a wide range of matters, including personal injury, premises liability, retail liability, and automobile liability. Jennifer has litigated a broad spectrum of cases, including slip and falls, property damage, motor vehicle accidents, dog bites, construction defects, mold exposure, and labor law. As a litigator, Jennifer passionately advocates for her clients in every case she handles and has brought her cases to successful resolution through trial, mediation and motion practice.

Throughout her career, Jennifer has emphasized the importance of working closely with her clients to develop successful case strategies and effective litigation plans tailored to the unique issues presented by each case she works on. Jennifer also prides herself on her ability to develop good working relationships with her adversaries which ultimately benefit her clients and lead to greater success in the cases she handles.

Before joining the firm in 2015, Jennifer's practice was concentrated in professional liability insurance coverage with a focus on errors and omissions coverage for securities broker/dealers and registered representatives. In this role, Jennifer also assisted in the drafting of insurance policies.

Jennifer graduated from American University in Washington, DC in 2006, with a Bachelor of Arts degree in Public Communications and a minor in Business Administration. She received her *juris doctor* in 2010, graduating *cum laude* from Pace Law School. During her time in law school, Jennifer served as president of the American Constitution Society, participated in Moot Court and volunteered with the Unemployment Action Center.

## Education

- The Elisabeth Haub School of Law at Pace University (J.D., *cum laude*, 2010)

## Practices

- General Liability
- Premises & Retail Liability
- Automobile Liability
- Trucking & Transportation Liability
- Construction Injury Litigation
- First-Party Property
- New York Construction & Labor Law
- Fraud/Special Investigation

- American University (B.A., 2006)

## Admissions

- New York, 2011
- U.S. District Court Eastern District of New York, 2016
- U.S. District Court Southern District of New York, 2016

## Honors & Awards

- The Best Lawyers: Ones to Watch®, Personal Injury Litigation - Defendants (2022)
- Hudson Valley Magazine, Top Lawyer (2022)

## Associations & Memberships

- Westchester Women's Bar Association, January 2015

## Classes/Seminars Taught

- *Pre-suit Litigation: How to Effectively Investigate Your Claim*, Marshall Dennehey Client Presentation, January 25th, 2023
- *Best Billing Practices*, CLE Client Seminar, May 2, 2014

## Published Works

- "When is it Too Late to Change Your Theory of the Case?" *New York Law Journal*, Litigation Special Report, March 13, 2023

## Significant Representative Matters

- Obtained summary judgment dismissing third-party plaintiff's claims for contribution and indemnification on behalf of a snow removal contractor, in a case where parties failed to demonstrate any breach of duty owed by the snow removal contractor.
- Won two appeals before the Appellate Division, Second Department. We represented an out-of-possession landlord in a personal injury action which became the subject to two appeals before the Appellate Division, Second Department. The plaintiff worked in retail and was allegedly injured due to a claimed defect to the front door. After we moved for summary judgment, the plaintiff opposed our motion and made an entirely new allegation of liability against our client. She also sought leave to amend her bill of particulars to assert this new claim. The plaintiff's motion to amend was granted, and our motion for summary judgment was denied with leave to renew after additional discovery relating to the plaintiff's new claim. We appealed this decision. The Appellate Court unanimously reversed the decision granting the plaintiff's motion to amend and reversed its order denying summary judgment, finding that our insured was an out-of-possession landlord. With respect to the second appeal, after the plaintiff was given leave to amend her bill of particulars, we conducted further discovery and moved for summary judgment a second time, and we won this motion. The court agreed with our position that our client was an out-of-possession landlord, and the plaintiff had failed to demonstrate notice. The plaintiff appealed this decision. The Appellate Court unanimously dismissed her appeal.
- Obtained summary judgment dismissing plaintiff's case on the grounds that plaintiff did not put forth sufficient evidence establishing her claim that she sustained a "Serious Injury" pursuant to New York State Insurance Law § 5102(d).

- Obtained a defense verdict in a property damage trial, where the plaintiff was claiming ongoing flooding and damage to her condominium.
  - Obtained summary judgment dismissing plaintiff's case in a personal injury action where the plaintiff was a passenger on a school bus involved in an accident. Jennifer demonstrated that plaintiff did not put forth sufficient evidence establishing her claim that she sustained a "Serious Injury" pursuant to New York State Insurance Law § 5102(d).
  - Obtained summary judgment dismissing plaintiff's case in a slip and fall action, where the plaintiff failed to establish creation or notice, and therefore, could not prove any negligence on the part of the condominium.
  - Obtained summary judgment dismissing plaintiff's claims against an out of possession landlord following a workplace injury.
  - Obtained summary judgment dismissing plaintiff's complaint in a personal injury action wherein the plaintiff claimed she fell on a defective sidewalk in Yonkers, New York.
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## Thought Leadership

October 1, 2023

**Federal Court Dismisses Portions of Plaintiff's Claims Against Insurer for Failing to Pay UIM Benefits**

October 1, 2023

**Federal District Court Finds that Mental Health Records Are Not Discoverable Under Ohio State Law**

October 1, 2023

**Southern District Court Limits Admissibility of Statements Made to Plaintiff's Physicians at the Time of Trial**

October 1, 2023

**Federal Court Denies Plaintiff's Motion for Summary Judgment After Further Analysis of "Corporate Liability"**

October 1, 2023

**Insurance Provider Granted Summary Judgment Based on an "Aircraft Liability Exclusion" Within Its Policy**

October 1, 2023

**The Delaware Superior Court Dismisses a Pedestrian's Case in an Unavoidable Accident**

October 1, 2023

**Supreme Court Finds Distinction in Applicability of Law Enforcement's Governmental Immunity**

March 10, 2023

**When Is It Too Late to Change Your Theory of the Case?**