Lexis® Context Report

Scott Michael Silberman P.E.

Civil Engineering, Structural Engineering, Construction Accidents

User Name:

Jasen Abrahamsen

Date and Time:

Saturday, October 21, 2023 12:55:00 PM EDT

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2020 DAUBTR LEXIS 4563

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Sebastiano V. New York City Tr. Auth.

Citation: *; 2010 N.Y. Misc. LEXIS 6906,2010 NY Slip Op 33878(U),2010 WL 7367237,2011 WL 12484000,86 A.D.3d 432,2011 WL 12526865,11 WL 4380118*

Docket Number: 20936/05,5511-12

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court, Appellate Division, First Department, New York, Supreme Court Of New York, Bronx County

Counsel: The Breakstone Law Firm, P.C., 2698 Boundary Road, Bellmore, New York 11710, (516) 781-7734, Nyappeals@Gmail.Com, Bamundo, Zwal & Schermerhorn, LLP, Armienti, Debellis, Guglielmo & Rhoden, LLP, 39 Broadway, Suite 520, New York, New York 10006, (212) 809-7074, Vcorchia@Adgrlaw.Com, Wallace D. Gossett

Judges: Wilma Guzman, Andrias, Sweeny, Renwick, Freedman, ManzanetDaniels

Disposition: Testimony improperly admitted.

Retained by: plaintiff

Case Summary: According to its decision dated January 5, 2010 the Court observed that As no proof was presented by the Plaintiffs expert as to when the building was constructed, any reference to the applicability of the city building codes made by Mr. Silberman should have been precluded. Where an expert witness fails to testify as to the year of construction, as in Barbul and the instant case, the remedy is preclusion of that expert's testimony as to the Building Codes applicability. ""The trial Court properly precluded Plaintiff's expert from referring to the New York City Building Code, since there was no proof of the year the subject building and ramp were constructed and thus no foundation for the applicability of different versions of the Code and its individual provisions."" In the instant case, Plaintiff's expert's testimony should have been precluded as to the Building Code violations. As such, the submission of the statutory violations to the jury was in error As noted above the jury verdict indicated that liability was found only as to the statutory violations. The Court held that ORDERED that the Defendants motion to set aside the verdict is hereby granted. It is further ORDERED that the jury's verdict is set aside and a new trial is ordered. According to the Reply Brief For Defendant-Appellant-Respondent it was stated that Having been raised by Plaintiff to avoid what it could not refute, i.e., that Plaintiff proffered no proof as 12 Proprietary & Confidential to when the stairway was built and therefore, there was no foundation for the testimony of Mr. Silberman on the issue, and therefore, the Court below was correct in her post-verdict observations regarding same. It was further stated that Again, this is all adrift from the inescapable conclusion that the Court below was correct in finding that Plaintiff did not offer proof as to when the stairway was built, Silberman should not have been permitted to testify concerning the violations and that Plaintiff failed to prima facie establish the statutory claim. According to its decision dated July 7, 2011 the Appellate Court concluded that Order, Supreme Court, Bronx County (Wilma Guzman, J.), entered January 13, 2010, which granted Defendant's posttrial motion to set aside the jury verdict in favor of Plaintiffs on the statutory claim and directed a new trial, unanimously modified, on the law, judgment granted in favour of Defendant as to the statutory claim, and otherwise affirmed, without costs. The Clerk is directed to enter judgment dismissing the complaint.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 5529

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Grace V. New York City Transit Authority

Citation: ; 2014 WL 7715114,2014 WL 7715115,2014 WL 6755089

Docket Number: 13302

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court, Appellate Division, First Department, New York

Counsel: Judah Z. Cohen, The Law Office of Judah Z. Cohen, PLLC, 1074 Broadway, Woodmere, New York 11598, 646-580-3440, juddzc@gmail.com, Sussman & Frankel, Steve S. Efron, Esq., 237 West 35th Street, Suite 1502, New York, New York 10001, (212) 867-1067, ssefron@aol.com, Wallace D. Gossett

Judges: Lizbeth Gonzalez, Angela M. Mazzarelli, Richard T. Andrias, Leland G. DeGrasse, Darcel D. Clark

Disposition: Testimony properly allowed at trial; affirmed.

Retained by: plaintiff

Case Summary: According to the Brief For Defendant-Appellant, it was stated that To support her claim, plaintiff hired an expert, Scott Silberman, who testified that the broken tiles were a dangerous condition that posed a threat to subway passengers. Silberman based his opinion solely on plaintiff's recollection of what the tiles looked like on the day she fell, as described at her 50-h hearing. He did not visit the subway station to examine the area where plaintiff tripped and take measurements of the alleged defect, nor did he review photographs of the allegedly hazardous condition. This Court has held time and again that an expert's opinion regarding allegedly dangerous condition is no more than speculative unless it is supported by that expert's own personal knowledge. Although the Authority objected to Silberman's testimony of that ground, the lower court allowed the expert to testify. For this reason, the judgment should be vacated and the case should be remanded for a new trial. The judgment was affirmed.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 62140

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Melia V. 50 Court Street Associates

Citation: *; 2016 WL 9964678,2017 WL 10742730,2017 WL 3496274*

Docket Number: 5076542014,2016-05839

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court, Appellate Division, Second Department, New York, Supreme Court Of New York

Counsel: John P. Dearie, Esq., Law Office Of John C. Dearie, 515 Madison Avenue, New York, New York 10022, (212) 980-0404, George N. Tompkins, III, Wilson, Elser, Moskowitz, Edelman & Dicker LLP, 150 East 42nd Street, New York, New York 10017-5639

Judges: Cheryl E. Chambers, Robert J. Miller, Colleen D. Duffy, Francesca E. Connolly

Disposition: Testimony improperly found sufficient to defeat motion for summary judgment; reversed on appeal.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silberman's testimony in opposition to Defendants motion for summary judgment. The trial court had denied Defendants motion for summary judgment. The judgment was reversed on appeal. 122 Proprietary & Confidential

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 61545

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Bosser V. Bay Restoration Corp.

Citation: *; 2009 WL 7215838,2009 WL 7227244,2010 WL 9547939,2010 WL 9547942,2010 WL 9547940,2010 WL 9547941,79 A.D.3d 1086*

Docket Number: 17076/06,2009-08957

Area of Law: Products Liability

Jurisdiction: State

Court: Supreme Court Of New York, Westchester County, Supreme Court, Appellate Division, Second Department, New York

Counsel: Sacks And Sacks, LLP, Nanis & Rinaldi, LLP

Judges: Gerald E. Loehr

Disposition: Testimony found insufficient to defeat grant of motion for summary judgment at trial; affirmed on appeal.

Retained by: plaintiff

Case Summary: Plaintiff had filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The Court granted the motion at trial. The judgment was affirmed on appeal.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 51842

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Louima V. Jims Realty, LLC

Citation: ; 2015 WL 13680406,2014 WL 10209274

Docket Number: 13242011,2014-03054

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, Kings County, Supreme Court, Appellate Division, Second Department, New York

Counsel: Of Counsel: Nicholas E. Tzaneteas, Law Office Of Stephen H. Frankel, 368 Willis Avenue, Mineola, New York 11501, (516) 742-0400, Sheri E. Holland, White Fleischner & Fino, Llp, New York, New York 10006, (212) 487-9700, Our File No.: 394-17166

Judges: Mark C. Dillon, John M. Leventhal, Cheryl E. Chambers, Sheri S. Roman

Disposition: Motion to preclude filed; outcome unknown.

Retained by: plaintiff

Case Summary: The outcome of Defendants motion to preclude Plaintiffs expert Silbermans testimony is unknown. Silbermans testimony was discussed but was not at issue at the Appellate Court.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 47212

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Quiros V. Bi-Coastal Properties, LLC

Citation: ; 2012 WL 6765509

Docket Number: 23880/05

Area of Law: Negligence

Jurisdiction: State

Court: Supreme Court Of New York, Bronx County

Counsel: Lipsig, Shapey, Manus & Moverman, P.C., Glenn P. Dolan, 40 Fulton Street, 25th Floor, New York, NY 10038, (212) 285-3300 18 Proprietary & Confidential, Jeffrey Samel & Partners, Michael Pomposello, 150 Broadway--20th Floor, New York, New York 10038, (212) 587-9690

Judges: Maryann Brigantti-Hughes

Disposition: Motion to preclude filed; outcome unknown.

Retained by: plaintiff

Case Summary: The outcome of Defendants motion to preclude Plaintiffs expert Silbermans testimony is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 40540

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Vega Nova V. Metropolitan Transportation

Citation: ; Not Applicable

Docket Number: 0100629/2011

Area of Law: Personal Injury

Jurisdiction: State

Court: NY Supreme - New York

Counsel: Ruth E. Bernstein Law Firm, Landman Corsi Ballaine & Ford

Judges: Geoffrey D. Wright, Michael D. Stallman

Disposition: Motion to preclude filed; outcome unknown.

Retained by: plaintiff

Case Summary: The outcome of Defendant's motion to preclude Plaintiff's expert Silberman's testimony is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 33107

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Soto V. GMRI, Inc.

Citation: *; 2013 U.S. Dist. LEXIS 88430,91 Fed. R. Evid. Serv. (Callaghan) 1017*

Docket Number: 1:11-CV-03187

Area of Law: Personal Injury

Jurisdiction: Federal

Court: United States District Court For The Eastern District Of New York

Counsel: Jeffrey Lawrence Koenig, Jonathan S. Damashek, Hecht, Kleeger, Pintel & Damashek, New York, NY; Judd Kleeger, Hecht, Kleeger & Damashek, P.C., New York, NY, Allison C. Leibowitz, Sal F. DeLuca, Simmons Jannace L.L.P., Syosset, NY

Judges: Allyne R. Ross

Disposition: Motion to preclude granted.

Retained by: plaintiff

Case Summary: The Court held that Because Silberman's report and testimony would not be helpful to a jury; I preclude them under Rule 702. Notably, Silberman's admission that there are no statues on building codes regulating coat storage devices, Depo. of Scott M. Silberman (""Silberman Depo"") 89-90, his failure to identify any industry standards governing the placement of coat racks or the use of alternative coat storage methods, and his lack of a background in restaurant environment safety, all suggest that no specialized knowledge is needed to determine whether placement of the coat rack between Tables 306 and 307 created a foreseeable risk of injury.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 26740

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: 11 Essex Street Corp V. Tower Insurance Company Of New York

Citation: ; 2011 WL 9509079,2017 WL 10742887,2017 WL 10742884,2017 WL 10742888,2017 WL 10742886,2011 WL 9520891,2011 WL 9520892,2011 WL 11166188

Docket Number: 600176/04,110019/04,4155,4156,4157

Area of Law: Negligence

Jurisdiction: State

Court: Supreme Court, New York, New York County, Supreme Court, Appellate Division, First Department, New York

Counsel: Weg & Myers, P.C., 52 Duane Street, New York,New York 10007, (212) 227-4210, Jmallin@Wegandmyers.Com, Ddantonio@Wegandmyers.Com, Wparash@Wegandmyers.Com, Morris Duffy Alonso & Faley, Two Rector Street, 22nd Floor, New York, New York 10006, (212) 766-1888, Ikrauchanka@Mdafny.Com

Judges: Emily Jane Goodman

Disposition: Motion to preclude not ruled upon at trial; outcome of appeal is unknown.

Retained by: plaintiff

Case Summary: According to the Reply Brief For Plaintiff-Appellant 11 Essex Street Corp., it was stated that Despite Defendants contentions1, Plaintiff was never precluded from calling its second liability expert, Scott Silberman (Silberman). In an effort to demonstrate that Plaintiff had rested its case with respect to liability, Defendants have argued that that the Trial Court had ruled that such testimony would be cumulative. In support of their arguments, Defendants generally argue and impermissibly refer to prior motions in limine that sought to preclude Silberman's testimony. However, the Trial Court denied these motions in limine with respect to Silberman. (SR. 6-9). In denying these motions, the Trial Court stated as to the issue of Silberman's testimony being cumulative, I will leave that to the time of the trial. I cannot predict the line of questioning or the answers. If the testimony gets repetitive then an objection may be made. (SR. 9). Additionally, Judge Wright found that Silberman's CV and his disclosure was adequate and that the timing of Silberman's visit to Plaintiffs property site, or the lack of a visit should not preclude a witness, as it will only affect the weight of his testimony so long as there is sufficient evidence from other sources to allow for a reasonable basis for conclusions to be reached. (SR. 9). Given this Record, it is inexplicable that the Trial Court granted the Defendants' motions for directed verdict. The outcome of appeal is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 26114

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Burgos V. Broadway North Pizzeria, Country Jac Inc.

Citation: ; 2018 WL 6065341,2018 WL 4258919

Docket Number: 0110482/2011

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, New York County

Counsel: Philip Hampton, Esq., Samuel Katz, Esq., Hampton & Sontag, LLC, 147 East 233rd Street, Bronx, New York 10470, (718) 654-4673, Christopher J. Walsh Esq., Marin Goodman, LLP, 500 Mamaroneck Ave, Suite 501, Harrison, NY 10528, Tel: (212) 661-1151, Fax: (212) 661-1141

Judges: Margaret A. Chan

Disposition: Motion to preclude filed; outcome unknown.

Retained by: plaintiff

Case Summary: The outcome of Defendants motion to preclude Plaintiffs expert Silbermans testimony is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 14246

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Kahn V. Town Sports Int'l, Inc.

Citation: *; 2005 U.S. Dist. LEXIS 19625,2005 U.S. Dist. Ct. Motions LEXIS 25727,2005 U.S. Dist. Ct. Motions LEXIS 25726*

Docket Number: 1:03cv9046

Area of Law: Personal Injury

Jurisdiction: Federal

Court: United States District Court For The Southern District Of New York

Counsel: Joshua N. Stein, Greenberg & Stein, New York, NY, Donald G. Derrico, Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, White Plains, NY

Judges: Andrew J. Peck

Disposition: Motion to exclude granted in part and denied in part.

Retained by: plaintiff

Case Summary: Plaintiff Douglas Kahn filed suit against Defendant New York Sports Club after Plaintiff slipped and was injured as he attempted to step from the first to the second seating level in the steam room at the New York Sports Club. Plaintiff's expert, engineer Scott Silberman, submitted an expert report concluding that the two level seating area also functioned as a stairway that did not conform to the City building code. Defendants moved to preclude that aspect of Silberman's expert testimony and a second aspect dealing with the ""coefficient of friction"" of the seating area. The Court noted that Administrative Code of the City of New York § 27-375 governed the construction and maintenance of interior stairs that provide a means of exit from a building. The Court noted that the levels of seating in a steam room do not act as an ""interior staircase"" used as a means of ""egress from the building"" under the Administrative Code of the City of New York. Therefore Silberman's testimony about Administrative Code § 27-375 8 Proprietary & Confidential was precluded. Defendants also argued that Silberman should not be allowed to testify as to the ""coefficient of friction"" on the tiles of the steam room seating levels because he did not take into account the fact that Plaintiff ""was wearing something on his feet when the accident occurred."" The Court was unpersuaded that Silberman's testimony was rendered ""unduly speculative and not based upon evidence"" because he did not ""take . . . into account"" that Plaintiff ""was wearing something on his feet when the accident occurred."" Defendants also argued that Silberman should be precluded from testifying at trial because ""Plaintiff cannot rely upon a low coefficient of friction value to assert a negligence claim against Defendants."" The Court noted that Defendants were correct that a failure to provide a non-slip surface did not constitute negligence per se. However, the Court noted that this evidence could be introduced at trial as to the issue of Defendants' negligence. Thus, Silberman was not precluded from testifying as to the coefficient of friction of the seating area. Motion to exclude granted in part and denied in part.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 12204

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Rasole V. Bovis Lend Lease-Lmb, Inc

Citation: ; 2006 WL 8428212

Docket Number: 1032702004

Area of Law: Negligence

Jurisdiction: State

Court: Supreme Court Of New York, New York County

Counsel: Jonathan D'agostino & Associates, P. C., 622 Barlow Avenue, Staten Island, New York 10309, (718) 967-1600, Leon R. Kowalski

Judges: Marcy S. Friedman

Disposition: Testimony challenged; outcome unknown.

Retained by: plaintiff

Case Summary: According to the Affirmation In Reply it was stated that The affidavit of Mr. Silberman must also be disregarded since there is no indication that Mr, Silberman ever inspected the scaffold or even a replica. Nor is there even any indication that Mr. Silberman reenacted the circumstances allegedly surrounding this incident or performed any testing. Without doing so, Mr. Silberman's opinion has no probative value since it is based on nothing other than his own speculation. Without performing any such inspection, testing or reenactment, Mr. Silberman's opinion that the defendants deviated from acceptable safety practices or violated OSHA standards has no basis in fact. All Mr. Silberman did in rendering his opinion was 21 Proprietary & Confidential

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 65905

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Castore V. Tutto Bene Restaurant Inc.

Citation: ; 2010 WL 9022065,2010 WL 4238004

Docket Number: 2010-03516

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court, Appellate Division, First Department, New York

Counsel: Segan, Nemerov & Singer, P.C., 112 Madison Avenue, New York, New York 10016, (212) 696-9100, Fixler & Lagattuta, LLP, 61 Broadway, Suite 1105, New York, New York 10006, (212) 785-9800, Name@Email.Com

Judges: David B. Saxe, Rolando T. Acosta, Helen E. Freedman, Rosalyn H. Richter, Sheila Abdus-Salaam

Disposition: Testimony properly found insufficient to defeat motion for summary judgment; affirmed.

Retained by: plaintiff

Case Summary: According to the Brief For Defendant-Respondent, it was stated that The second reason the findings of Scott Silberman, P.E. should be 48 Proprietary & Confidential rejected by this court is that the first time identified Ms. Silberman as an expert was in opposition to the motion for summary judgment and long after the filing of the Note of Issue (R.274-279). Appellant served the Note of Issue December 22, 2008 (R.257-258), which is approximately ten ?? Mr, Silberman inspected defendant's premises without -, Additionally, the motion for summary judgment ?? 10, 2009 (R.7) and appellant's opposition with the it. was served on April 15, 2009 (R.280). The expert ?? the first time more than fourteen months after conducting the unauthorized inspection of respondent's restaurant, more than four months after the filing of the Note of Issue and more than two months after the motion for summary judgment was served. The judgment was affirmed.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 65625

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Shammah V. 1219 McDonald LLC 78 Proprietary & Confidential

Citation: *; 2018 NY S. Ct. Motions LEXIS 13316*

Docket Number: 505343/2016

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Kings County

Counsel: Joshua W. Sktllman, Esq, Not Mentioned

Judges: Not Mentioned

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 65239

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Altemus V. Manhattan Bridge Car Wash, Inc. 94 Proprietary & Confidential

Citation: ; 2016 WL 11486489

Docket Number: G055555

Area of Law: Tort Law

Jurisdiction: State

Court: New York State, Nassau County, Supreme Court

Counsel: Mark J. Fox, Esq., Law Offices Of Mark J. Fox, 111 East 35th Street, New York, NY 10016, (212) 685-5015, Rita F. Aronov

Judges: Karen B. Rothenberg

Disposition: Testimony field in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 65084

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Travis Bryant V. The City Of New York Et Al

Citation: ; Not Applicable

Docket Number: 514688/2017

Area of Law: Negligence

Jurisdiction: State

Court: New York State, Kings County, Supreme Court

Counsel: Herbert S. Subin, Andrew Francis Vigliotta

Judges: Katherine Levine

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 64301

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Laila Sara V. Kalliopi Notias Et Al

Citation: ; Not Applicable

Docket Number: 507197/2017

Area of Law: Tort Law

Jurisdiction: State

Court: New York State, Kings County, Supreme Court

Counsel: James P. Fitzgerald, William Arthur Prinsell

Judges: Not Mentioned

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 63226

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Rodriguez V. Janjan Realty Corp

Citation: ; 2015 WL 4508624,2015 WL 4508614,2015 WL 4654384

Docket Number: 1586682012

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, New York County

Counsel: Not Mentioned, Frank Filopei, Esq., William Ricicliano, P.C., 232 Madison Avenue - Suite 1200, New York, New York 10016, (212) 725-5755

Judges: Shlomo Hagler

Disposition: Testimony sufficient to defeat motion for summary judgment in part.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silberman's testimony in opposition to Defendants motion for summary judgment. The Court granted in part and denied in part Defendants motion for summary judgment.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 62924

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Galo Ordonez Et Al V. Ruggs Path, LCC Et Al

Citation: ; Not Applicable

Docket Number: 609406/2015

Area of Law: Tort Law

Jurisdiction: State

Court: New York State, Suffolk County, Supreme Court

Counsel: John Zervopoulos, Bruce A. Torino

Judges: Not Mentioned

Disposition: Testimony cited in support of motion for summary judgment; outcome unknown.

Case Summary: Plaintiff cited expert Silbermans testimony in support of its motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 62589

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Gaetano, V. 465 Columbus

Citation: ; 2012 WL 11947592,2012 WL 11947590

Docket Number: 112292010

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Westchester County

Counsel: Howard Schatz, Heath A. Bender

Judges: Gerald E. Loehr

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silberman's testimony in opposition to Defendants motion for summary judgment. The outcome of Defendants motion for summary judgment is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 62324

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Richard Wager Et Al V. Peter Gisolfi Associates, Architecture.Landscape Architecture, Llp Et Al

Citation: ; Not Applicable

Docket Number: 68572/2012

Area of Law: Tort Law

Jurisdiction: State

Court: New York State, Westchester County, Supreme Court

Counsel: John P. Beatty, Siobhan A. Healy

Judges: Not Mentioned

Disposition: Testimony filed in support of motion for summary judgment; outcome unknown.

Retained by: defendant

Case Summary: Defendant filed its expert Silbermans testimony in support of its motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 62306

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Herrera V. Lisina Inc.

Citation: *; 2014 N.Y. Misc. LEXIS 207,2014 NY Slip Op 30140(U)*

Docket Number: 107150/09

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, New York County

Counsel: Not Mentioned, Not Mentioned

Judges: Paul Wooten

Disposition: Testimony sufficient to defeat grant of motion for summary judgment in part.

Retained by: plaintiff

Case Summary: Silberman was retained by the Plaintiff as an expert in this case. Defendants filed two separate motions for summary judgment. Plaintiff filed Silbermans testimony in opposition to both the motions for summary judgment. The Court denied one of the Defendants motions for summary judgment and granted the other motion.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 69105

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Esquivel V. 2707 Creston Realty, LLC

Citation: *; 2014 WL 12744511,2015 WL 13801884,2015 WL 13801886,2017 WL 1484680*

Docket Number: 230252010,2015-01032

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, Nassau County, Supreme Court, Appellate Division, Second Department, New York

Counsel: Elizabeth Mark Meyerson, Mark J. Rayo, P.C., 600 Old Country Road, Suite 323, Garden City, New York 11530, (516) 683-8888 49 Proprietary & Confidential, William T. O'connell, Goldberg Segalla LLP, 11 Martine Avenue, Suite 750, White Plains, New York 10606, (914) 798-5400

Judges: Robert A. Bruno

Disposition: Testimony properly found insufficient to win grant of motion for partial summary judgment; affirmed.

Retained by: plaintiff

Case Summary: According to the Brief For Plaintiffs-Respondents-Appellants, it was stated that The Plaintiff's motion, supported by the affidavit of Engineer Scott M. Silberman (R. 254) showed that the exposed metal ladder rungs were defective and failed to provide adequate protection in four respects: there was nothing to hold onto while climbing down, the rungs had insufficient slip resistance and limited foot-contact area, there was insufficient clearance from the doorway and from the wall itself, and the rungs were not shielded from rain. R. 255-256 Para. 4. It was further stated that The Motion Court denied Plaintiffs motion and Defendant's cross-motion as to the 240(1) claim (R. 10), and dismissed the Labor Law Section 200 and common law negligence claims (R. 11) as well as the *8 241(6) cause of action which Esquivel did not oppose. This appeal and cross-appeal followed. The judgment was affirmed.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 68572

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Gunther V. Airtran Holdings, Inc.

Citation: *; 2007 U.S. Dist. LEXIS 7424,2006 WL 4805873*

Docket Number: 1:05cv2134

Area of Law: Personal Injury

Jurisdiction: Federal

Court: United States District Court For The Southern District Of New York

Counsel: Eric M. Babat, Esq. (EB-5573), Newman & Okun, P.C., 8 West 38th Street, 9th Fl., New York, New York 10018, (212) 642-0950 33 Proprietary & Confidential, Diane Westwood Wilson, Lead Attorney, Condon And Forsyth Llp, New York, Ny; Steven M. Raffaele, Lead Attorney, Condon & Forsyth, New York, NY

Judges: Michael H. Dolinger

Disposition: Testimony insufficient to win grant of motion for summary judgment.

Retained by: defendant

Case Summary: Defendant filed its expert Silbermans testimony in support of its motion for summary judgment. The Court denied the motion.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 68337

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Javid V. Sclafmore Construction, LLC

Citation: ; 2012 WL 11794728,2013 WL 9554252

Docket Number: 174722010

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, Queens County

Counsel: Mark M. Basichas & Associates, P.C., Office & P.O. Address, 233 Broadway, Suite 2707, New York, New York 10279, (212) 476-0999, Not Mentioned

Judges: Duane A. Hart

Disposition: Testimony filed in support of motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in support of its motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 67743

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Chichester V. The City Of New York

Citation: ; 2009 WL 10715836

Docket Number: 112976/2004

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York

Counsel: Kenneth Mangano, Esq., Our File No.: 3977, Ferro, Kuba, Bloom, Mangano, Gacovino & Lake, P.C., Twenty One Penn Plaza, Suite 1100, New York, New York 10001, (212) 244-7676, White, Quinlan & Staley, L.L.P.

Judges: Karen S. Smith

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion for summary judgment is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 67729

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Lonardo V. Common Ground Community IV Hous. Dev. Fund Corp

Citation: *; 2018 NY S. Ct. Motions LEXIS 40593*

Docket Number: 158061/2017

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, New York County

Counsel: Douglas Herbert, Brooklyn, NY, Brownell Partners, Pllc, Richard J. Brownell, Esq., New York

Judges: Not Mentioned

Disposition: Testimony cited in support of motion for summary judgment; outcome unknown.

Case Summary: Defendant cited expert Silbermans testimony in support of its motion for summary judgment. The outcome of the motion is unknown 86 Proprietary & Confidential

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 67692

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Paramjit Singh V. 911 LLC

Citation: ; Not Applicable

Docket Number: 509401/2017

Area of Law: Negligence

Jurisdiction: State

Court: New York State, Kings County, Supreme Court

Counsel: Pat J. Crispi, Kenneth B. Danielsen

Judges: Not Mentioned

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 67333

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Lance V Den-Lyn Realty Corp

Citation: *; 2010 N.Y. Misc. LEXIS 6651,2010 NY Slip Op 52411(U),2011 WL 12524910,2011 WL 1675632*

Docket Number: 18982/2007,4986

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Bronx County, Supreme Court, Appellate Division, First Department, New York

Counsel: George Garafola, Esq., Silbowitz, Garafola & Assoc., New York, NY, R. Bradford Thelander, Esq., Wade Clark Mulcahy Law Office, New York, NY

Judges: Betty Owen Stinson

Disposition: Testimony properly found insufficient to defeat motion for summary judgment; affirmed.

Retained by: plaintiff

Case Summary: According to the Brief For Plaintiff-Appellant, it was stated that Plaintiff also submitted an affidavit from Scott Silberman, an engineering expert and his report in opposition to the motion. 265-268 Mr. Silberman opined that the numerous steps that came loose over time prior to Ms. Lance's accident was evidence of a poorly maintained stairway or improperly placed steps. Given the magnitude of treads that were loose at any given time, nit was an indication of a recurring condition that defendant should have investigated and corrected. plaintiff's expert also opined that the defendant had violated the New York City Building Code/Administrative Code and the Multiple Dwelling Law, regarding proper maintenance of interior stairways and treads. (267-268 It was further stated that The lower court granted defendant's motion holding that it had established its entitlement to judgment as a matter of law by demonstrating that it had neither actual, nor constructive notice of the condition which allegedly caused plaintiff's injuries. The trial Court improperly credited the testimony of Mr. Mack, who claimed that, he was never notified of any defect and never even saw the broken stair plaintiff claimed caused her fall after the incident, although he asked her to show it to him. 10-11 This was directly contradicted by Ms. Lance's testimony who stated that the next day, she showed Julio the broken step, who picked it up and examined it, and that several days later, she showed Mr. Mack where the broken step was located. The 41 Proprietary & Confidential judgment was affirmed.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 67299

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Beaver-Gale V. Waldorf Astoria Hotel

Citation: *; 2016 N.Y. Misc. LEXIS 2977,2016 NY Slip Op 31521(U),2016 WL 4256988*

Docket Number: 158368/2013

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, New York County

Counsel: Greenstein & Milbauer, LLP, Not Mentioned

Judges: Cynthia S. Kern

Disposition: Testimony insufficient to defeat motion for summary judgment.

Retained by: plaintiff

Case Summary: The Court observed that Plaintiff's argument that the affidavit and report of Scott M. Silberman, P.E. (""Silberman""), her engineering expert, raise an issue of fact as to whether the condition of the landing deviated from industry custom or practice is also without merit. The only basis Silberman cites for his opinion in his report that single steps should be avoided where possible and, where they cannot be avoided, that ""good practice demands highlighting the step's nosing 32 Proprietary & Confidential with delineation stripes of contrasting colors or similar treatment applied to the nosing edge or provide sic warning signs"" or handrails is American Society of Testing Materials (""ASTM"") Standard F1637. ASTM Standard F1637 provides that ""short flight stairs (three or fewer risers) shall be avoided where possible"" and otherwise should be made visually obvious through the use of visual cues, one of which is ""contrast in surface colors."" As it is undisputed that the landing is a different color than the carpet covering the sidewalk, Silberman's affidavit and report fail to raise an issue of fact as to whether the condition of the landing deviated from the industry custom or practice allegedly represented by ASTM Standard F1637. Accordingly, defendant's motion for summary judgment is granted and plaintiff's complaint is hereby dismissed. This constitutes the decision and order of the court.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 66879

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Ochoa V. Executive Fitness & Nutrition, Inc.

Citation: ; 2017 NY S. CT. MOTIONS LEXIS 74324

Docket Number: 701555/2015

Area of Law: Negligence

Jurisdiction: State

Court: Supreme Court Of New York, Queens County

Counsel: Omrani & Taub, P.C., New York, Gialleonardo, Frankini & Harms, Michele A. Musarra, Esq., Mineola, New York

Judges: Alan B. Weiss

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 66334

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Robine V. Highrose Ridge Homeowners Ass'n, Inc

Citation: *; 2018 NY S. Ct. Motions LEXIS 3637,2018 NY S. Ct. Motions LEXIS 3613,2018 NY S. Ct. Motions LEXIS 16962*

Docket Number: 2016-50676

Area of Law: Negligence

Jurisdiction: State

Court: Supreme Court Of New York, Dutchess County

Counsel: Ted A. Novick, Burke, Scolamiero & Hurd, Llp, Melissa J. Smallacombe, Esq.

Judges: Maria G. Rosa

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 72263

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Clark & Wilkins Industries, Inc. V. 133 Beach Apt. Corp.

Citation: ; 2017 WL 5177679,2017 WL 5177677

Docket Number: 182282010

Area of Law: Contracts

Jurisdiction: State

Court: Supreme Court Of New York, Queens County

Counsel: Wendy Jennings, Camacho Mauro Mulholland, LLP, 40 Wall Street 40th Floor, New York, New York 10118, (212) 947-4999, James Frankini, Gialleonardo, Frankini, Harms & Pieret, 330 Old Country Road, Suite 200, Mineola, New York 11501, (516) 493-4500, File No.: 11-021991-08E

Judges: Leslie J. Purificacion

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silberman's testimony in opposition to Defendants motion for summary judgment. The outcome of Defendants motion for summary judgment is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 72033

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Gutowski V. GDM Hudson Laight Street, LLC

Citation: ; 2008 WL 11336286,2008 WL 2614839

Docket Number: 1166342005

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, New York County

Counsel: Cyril Baines, Perecman & Fanning, P.L.L.C., 250 West 57th Street, Suite 401, New York, New York 10107, (212) 977-7033, Sheryl A. Bruzzese (Sb 5680), Traub Lieberman Straus & Shrewsberry LLP, Mid-Westchester Executive Park, Seven Skyline Drive, Hawthorne, New York 10532, Tel. No. (914) 347-2600

Judges: Jane S. Solomon

Disposition: Testimony sufficient to win grant of motion for summary judgment in part.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in support of its motion for summary judgment. The Court granted in part and denied in part the motion for summary judgment.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 71896

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Aguayo V. New York City Housing Authority

Citation: ; 2009 WL 8728000,2010 WL 1079916

Docket Number: 2009-05504

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court, Appellate Division, Second Department, New York.

Counsel: Anita Nissan Yehuda, Bornstein & Emanuel P.C., Gilbert Aguayo, Anita Nissan Yehuda, P.C., Appellate Counsel, 99 Powerhouse Road, Suite 208, Roslyn Heights, New York 11577, 516-625-5585, Russo, Keane & Toner, Llp, 33 Whitehall Street, 16th Floor, New York, New York 10004, (212) 482-0001

Judges: Reinaldo E. Rivera, Anita R. Florio, Daniel D. Angiolillo, Ariel E. Belen

Disposition: Testimony improperly found sufficient to defeat motion for summary judgment; reversed on appeal.

Retained by: plaintiff

Case Summary: According to the Brief For Plaintiff-Respondent Gilbert Aguayo it was stated that In opposition to Defendant's motion, Plaintiff addressed and pointed out the flaws in Defendant's arguments and, in addition, submitted 22 photographs, Plaintiff's affidavit, the affidavit of Plaintiff's girlfriend attesting to having taken the photographs, a series of Defendant's Quarterly Inspection Reports, and the affidavit of an expert, Scott Silberman, P.E. (406-464). The trial court had denied Defendants motion for summary judgment. The judgment was reversed on appeal. 121 Proprietary & Confidential

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 71729

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Alison Bennion V. 111 New Land Corp.

Citation: ; Not Applicable

Docket Number: 151474/2014

Area of Law: Tort Law

Jurisdiction: State

Court: New York State, New York County, Supreme Court

Counsel: Craig Pierce Fenno, Mark Joseph Hanlon

Judges: Jennifer Schecter

Disposition: Testimony filed in support of motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in support of its motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 71651

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Chen V. Hope Street Partners, LLC

Citation: ; 2012 WL 10007621

Docket Number: 110044/2009

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court, New York, New York County

Counsel: Popick & Rutman, PLLC, Baxter Smith & Shapiro, PC

Judges: Carol Robinson Edmead

Disposition: Testimony found to be conclusory.

Retained by: plaintiff

Case Summary: The Court held that The First Department held that section 23-5.1(c)(1), requiring that all scaffolding shall be so constructed as to bear four times the maximum weight required to be dependent therefrom or placed thereon when in use, is insufficiently specific to serve as a predicate of a Labor Law 241 (6) claim (Macedo v J.D. Posillico, Inc., 68 AD3d 508, 891 NYS2d 46 1st Dept 2009, citing Greaves v Obayashi Corp. 55 AD3d 409, 410, 866 NYS2d 47 , lv dismissed 12 NY3d 794, 879 NYS2d 39). And in any event, plaintiff's expert's Silberman's attestation that the subject plank was prone to collapse is conclusory as it is not supported by results of any weight measurements or tests to demonstrate that the plank failed its weight-bearing requirement under this section. Thus, summary judgment on the claim predicted on the violation of section 23-5.1(c)(1) is unwarranted. 112 Proprietary & Confidential

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 71140

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Jones V. The City Of New York

Citation: ; 2011 WL 11166400

Docket Number: 0021342/2006

Area of Law: Products Liability

Jurisdiction: State

Court: Supreme Court, New York, Bronx County

Counsel: Peter LoDuca, MacCartney, MacCartney, Kerrigan & MacCartney, Attorneys and Counsellors At Law, 13 North Broadway, Post Office Box 350, Nyack, New York 10960, Tel: (845) 358-0074

Judges: Mitchell J. Danziger

Disposition: Testimony insufficient to defeat motion for summary judgment.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silberman's testimony in opposition to Defendants motion for summary judgment. The Court granted Defendants motion for summary judgment.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 71101

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Sebastiano V. Bamundo

Citation: *; 2014 NY S. Ct. Motions LEXIS 310*

Docket Number: 21365/2014

Area of Law: Medical Malpractice

Jurisdiction: State

Court: Supreme Court Of New York, Bronx County

Counsel: David Friedman, Not Mentioned

Judges: Wilma Guzman

Disposition: Testimony filed in support of motion to dismiss; outcome unknown.

Retained by: defendant

Case Summary: Defendant filed its expert Silbermans testimony support of its motion to dismiss. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 70178

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Morales V. The City Of New York

Citation: ; 2017 WL 9916166

Docket Number: 000823/2015

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Queens County

Counsel: Martin Grossman, Esq., Charlie Green, Jr.

Judges: Ernest F. Hart

Disposition: Testimony filed in support of motion for partial summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in support of its motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 69895

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Villanueva V. Southeast Grand Street Guild Housing Development Fund Company, Inc.

Citation: ; 2004 WL 5350809

Docket Number: 29944/02

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Bronx County

Counsel: Daniel Buttafuoco, Esq., Daniel Buttafuoco & Associates, 144 Woodbury Road, Woodbury, NY 11797, Patrick J. Yella, Law Offices Of Michael W. Kennedy, LLC, 315 Broadway, Suite 200, New York, New York 10007, (212) 397-8199

Judges: Not Mentioned

Disposition: Testimony filed in support of motion for summary judgment; outcome unknown.

Retained by: defendant

Case Summary: Defendant filed its expert Silberman's testimony in support of its motion for summary judgment. The outcome of Defendant's motion for summary judgment is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 69417

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Linda De Los Reyes V. Duane Reade Inc. Et Al

Citation: ; Not Applicable

Docket Number: 707179/2016

Area of Law: Negligence

Jurisdiction: State

Court: New York State, Queens County, Supreme Court

Counsel: Alex A. Omrani, Louis Patrick Giordano

Judges: Not Mentioned

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 75954

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Manning V. Tracy J's, Inc.

Citation: *; 2008 U.S. Dist. LEXIS 31914,2007 WL 5390985,2007 WL 5390986,2007 WL 4845975*

Docket Number: 1:06cv956

Area of Law: Premises Liability

Jurisdiction: Federal

Court: United States District Court For The Southern District Of New York

Counsel: Robert Vincent Kaminski, Jr., Lead Attorney, Robert Kaminski, Pllc, New York, NY, Terrance Joseph Ingrao, Purcell & Ingrao, P.C., Mineola, NY 34 Proprietary & Confidential

Judges: Debra Freeman

Disposition: Testimony sufficient to defeat motion for summary judgment in part.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The Court granted in part and denied in part Defendants motion for summary judgment.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 74891

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Almonte V. Almonte

Citation: *; 2018 NY S. Ct. Motions LEXIS 16210,2018 NY S. Ct. Motions LEXIS 15086,2018 NY S. Ct. Motions LEXIS 10620*

Docket Number: 23616/2016

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Bronx County

Counsel: Christopher M. Lynch, Esq., Alisa Dultz, New York, New York.

Judges: Fernando Tapia

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 74465

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Giraldo V. Brookfield Fin. Props., L.P.

Citation: *; 2018 N.Y. Misc. LEXIS 5901,2018 NY Slip Op 33112(U),2018 WL 6413530,2018 WL 6519200*

Docket Number: 0159689/2014

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, New York County

Counsel: Edelman Krasin & Jaye, PLLC, Robert J. Brown, Esq., Law Office Of Robert J. Brown, PLLC, 875 Third Avenue, 28th Floor, New York, N.Y. 10022, Tel: (212) 784-3303

Judges: Gerald Lebovits

Disposition: Testimony insufficient to defeat motion for summary judgment.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The Court granted Defendants motion for summary judgment.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 74348

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Reyes V. Roman Catholic Church Of The Immaculate Conception

Citation: ; 2016 WL 6997928

Docket Number: 300211/2014

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, Bronx County

Counsel: Not Mentioned, Jerry Granata, Armienti, Debellis, Guglielmo & Rhoden, LLP, 39 Broadway, Suite 520, New York, New York 10006

Judges: Julia I. Rodriguez

Disposition: Testimony insufficient to defeat motion for summary judgment.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silberman's testimony in opposition to Defendants motion for summary judgment. The Court granted Defendants motion for summary judgment.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 74221

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Alabadla V. Allied

Citation: *; 2019 NY S. Ct. Motions LEXIS 2377,2019 NY S. Ct. Motions LEXIS 1645*

Docket Number: 504264/2016

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, Kings County

Counsel: Steven M. Costanzo, Aaronson Rappaport Feinstepn & Deutsch, Llp, New York, NY, Daniel Y. Sohnen

Judges: Lara Genovesi

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 73454

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Lishnevski V. Driggs Broadway LLC & Weylin Seymour LLC

Citation: *; 2017 NY S. Ct. Motions LEXIS 18622,2017 NY S. Ct. Motions LEXIS 63307,2017 NY S. Ct. Motions LEXIS 63069,2017 NY S. Ct. Motions LEXIS 16934,2017 NY S. Ct. Motions LEXIS 62986,2017 NY S. Ct. Motions LEXIS 64384*

Docket Number: 503740/2015

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Kings County

Counsel: Adam L. Birbrower, Havkins Rosenfeld Ritzert & Varriale, LLP, Michelle L. Bochner, Esq.

Judges: Wavny Toussaint

Disposition: Testimony insufficient to defeat grant of motion for summary judgment.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The Court granted the motion.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 73357

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Contardo V. JCK Management Corp.

Citation: ; 2008 WL 8015055,2008 WL 8015053

Docket Number: 13602/06

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, Kings County

Counsel: Silbowitz, Garafola, Silbowitz, Law Offices Of James R. Pieret & Associates, Patrick B. Mc Keown, 400 Garden City Plaza, Garden City, NY 11530, (516) 512-6590

Judges: Not Mentioned

Disposition: Testimony filed in opposition to cross-motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants cross-motion for summary judgment. The outcome of the cross-motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 72665

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Lovell V. Thompson

Citation: ; 2016 WL 11532058,2016 WL 11532059,2016 WL 5935651

Docket Number: 1877

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court, Appellate Division, First Department, New York

Counsel: Louis A. Badolato, Anthony J. Cugini, Jr., Esq., P.C., 5906a Riverdale Avenue, Riverdale, New York 10471, 718-884-0100, Acjresq@Yahoo.Com, Penino & Moynihan, LLP, 1025 Westchester Avenue, Suite 403, White Plains, New York 10604, (914) 949-6996, Hliao@Peninomoynihanlaw.Com

Judges: David Friedman, Rosalyn H. Richter, Paul G. Feinman, Barbara R. Kapnick, Marcy L. Kahn

Disposition: Testimony properly found insufficient to defeat motion for summary judgment; affirmed.

Retained by: plaintiff

Case Summary: According to the Brief For Defendants-Respondents, it was stated that The assertion by the plaintiff-appellants (plaintiffs) that the affidavit of their expert engineer, Scott Silberman, P.E. (Silberman) establishes that the steps were hazardous is irrelevant absent evidence that the defendants created or had notice of the alleged hazard. Nothing in the record, including Silberman's affidavit, indicates that the hazard alleged was created by the defendants or that the defendants had actual or constructive notice of same. Plaintiffs' assertion that the unsworn statement of non-party witness Barry Hunter (Hunter) is admissible because it was not the only evidence submitted is without merit. Assuming arguendo that Hunter's statement is admissible, it is irrelevant as it does not allege any facts 47 Proprietary & Confidential which, if true, demonstrate that the defendants created or had notice of the hazard alleged. The decision below should be affirmed accordingly. The judgment was affirmed.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 72571

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Richards V. Sullivan

Citation: *; 2019 NY S. Ct. Motions LEXIS 821*

Docket Number: 503516/2016

Area of Law: Negligence

Jurisdiction: State

Court: Supreme Court Of New York, Kings County

Counsel: Rockville Centre, New York, Steven B. Drelich, Esq., Our File No: 22189, Not Mentioned 85 Proprietary & Confidential

Judges: Not Mentioned

Disposition: Testimony filed in support of motion for partial summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in support of its motion for partial summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 72421

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Vazquez V. JRG Realty Corp.

Citation: *; 2009 WL 8690879,2009 WL 8690880,2010 WL 9905344,2010 WL 9581513,2009 WL 8689809,81 A.D.3d 555*

Docket Number: 1155132007,2007-115513,4338

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, Supreme Court, Appellate Division, First Department, New York 98 Proprietary & Confidential

Counsel: Nicholas E. Warywoda, Kaufman Borgeest & Ryan LLP, Matthew Spergel, Esq.

Judges: Michael D. Stallman, Peter Tom, John W. Sweeny, Jr., Rolando T. Acosta, Dianne T. Renwick, Sallie Manzanet-Daniels

Disposition: Testimony insufficient to defeat grant of motion for summary judgment at trial; affirmed on appeal.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The Court granted the motion for summary judgment at trial. The judgment was affirmed on appeal.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 78778

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Gragnaniello V. County Of Westchester

Citation: *; 2015 NY S. Ct. Motions LEXIS 12923,2015 NY S. Ct. Motions LEXIS 12308*

Docket Number: 50912/2014

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Westchester County

Counsel: Michafl Jaffe Esq., Not Mentioned

Judges: Not Mentioned

Disposition: Testimony filed in support of motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in support of its motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 78646

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Volpe V. Hudson View Associates, LLC

Citation: *; 2011 WL 11075274,2012 WL 12930794,2013 WL 5965616,2012 WL 9495927,2011 WL 11012676,2011 WL 11012681,2011 WL 11012690,109 A.D.3d 814*

Docket Number: 2011-614,2012-00803

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court, New York, Westchester County, Supreme Court, Appellate Division, Second Department, New York

Counsel: Edelman, Krasin & Jaye, PLLC, Mound Cotton Wollan & Greengrass

Judges: Mary H. Smith

Disposition: Testimony found insufficient to defeat grant of motion for summary judgment at trial; affirmed on appeal.

Retained by: plaintiff

Case Summary: Plaintiff had filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The Court granted the motion at trial. The judgment was affirmed on appeal. 71 Proprietary & Confidential

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 78554

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Gunzburg V. Quality Bldg. Serv. Corp.

Citation: *; 2014 N.Y. Misc. LEXIS 2991,2014 NY Slip Op 31725(U),2014 WL 3381740,2015 WL 13774689,2018 WL 6990389*

Docket Number: 115910/2009,354

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, New York County, Supreme Court, Appellate Division, First Department, New York

Counsel: Susan R. Nudelman, Esq., Michael Gunzburg, P.C., 950 Third Avenue, 11th Floor, New York, New York 10022, (212) 725-8500, michael@gunzburglaw.com, Joseph Horowitz, The Law Offices Of Leon R. Kowalski, McGaw, Alventosa & Zajac, 2 Jericho Plaza, Suite 202, Jericho, New York 11753, 516-822-8900, joseph.horowitz@aig.com

Judges: Louis B. York

Disposition: Testimony found insufficient to win cross-motion for summary judgment; outcome of appeal is unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in support of its cross-motion for summary judgment. The Court denied the motion. Subsequently, Plaintiff appealed. The outcome of appeal is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 77963

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Sylvester V. Mount Hope Universal Baptist Church, Inc.

Citation: *; 2017 NY S. Ct. Motions LEXIS 36535*

Docket Number: 505842/2016

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Kings County

Counsel: Raymond Ardito, Esq., Ardito Law Firm, P.C., NY, Gold Benes, LLP, Bellmore, NY

Judges: Carl Landicino

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 77143

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Michael Lewis V. Nir Abraham Et Al

Citation: ; Not Applicable

Docket Number: 151490/2017

Area of Law: Negligence

Jurisdiction: State

Court: New York State, New York County, Supreme Court

Counsel: Randolph D. Janis, Scott F. Morgan

Judges: Sherry K. Heitler

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 76870

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Rodriguez V. City Of Yonkers

Citation: ; 2011 WL 10961156,2011 WL 10953473

Docket Number: 2009-20765

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Westchester County

Counsel: Mark J. Fox, Esq., 111 East 35th Street, New York, New York 10016, (212) 685-5015, Wilson, Bave, Conboy, Cozza & Couzens, P.C., James A. Rogers, Esq.

Judges: Nicholas Colabella

Disposition: Testimony insufficient to defeat motion for summary judgment.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silberman's testimony in opposition to Defendants motion for summary judgment. The Court granted Defendants motion for summary judgment.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 76795

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Cordero V. Nemeh LLC

Citation: ; 2012 WL 10067752,2012 WL 10094481

Docket Number: 3011332008

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court, New York, New York County

Counsel: Not Mentioned, Gannon Lawrenc & Rosenfarb, William J. Crowe, Gannon, Lawrence & Rosenfarb100 William Street-7th Floor, New York, New York 10038, (212) 655-5000

Judges: Sharon M. Aarons

Disposition: Testimony insufficient to win grant of motion for summary judgment.

Retained by: plaintiff

Case Summary: Defendant filed Plaintiffs expert Silberman's testimony in support of its motion for summary judgment. The Court denied Defendant's motion for summary judgment.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 76775

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: James W. Cooper V. First In Queens, Inc., D/B/A Shell Gas Station Et Al

Citation: ; Not Applicable

Docket Number: 710076/2015

Area of Law: Tort Law

Jurisdiction: State

Court: New York State, Queens County, Supreme Court

Counsel: Herbert S. Subin, Michele Ann Musarra

Judges: Not Mentioned

Disposition: Testimony cited in support of motion for summary judgment; outcome unknown.

Case Summary: Defendant cited expert Silbermans testimony in support of its motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 76176

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Helen Cruises V. V&J Realty Co

Citation: *; 2018 NY S. Ct. Motions LEXIS 2796,2018 NY S. Ct. Motions LEXIS 2810*

Docket Number: 700616/2016

Area of Law: Premises Liability

Jurisdiction: State

Court: Supreme Court Of New York, Queens County

Counsel: Issac A. Arasteh, Esq., Omrani & Taub, P.C., New York, Fern Flomenhaft

Judges: Not Mentioned

Disposition: Testimony filed in opposition to motion for summary judgment; outcome unknown.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silbermans testimony in opposition to Defendants motion for summary judgment. The outcome of the motion is unknown.

Ground(s) of Challenge: Others

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2020 DAUBTR LEXIS 76023

Daubert Tracker - Case Reports

Expert Name: "Mr. Scott Michael Silberman P.E.

Discipline: Construction; Civil Engineering; Structural Engineering

Case Name: Roa V. City Of New York 114 Proprietary & Confidential

Citation: ; 2019 WL 2016346

Docket Number: 155116/2016

Area of Law: Personal Injury

Jurisdiction: State

Court: Supreme Court Of New York, New York County

Counsel: Herbert S. Subin, Cole Pedroza

Judges: Julio Rodriguez, III

Disposition: Testimony insufficient to win grant of motion for summary judgment.

Retained by: plaintiff

Case Summary: Plaintiff filed its expert Silberman's testimony in support of its motion for summary judgment. The Court denied Plaintiffs motion for summary judgment.

Ground(s) of Challenge: Others

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