

# Porzio Secures a Pre-Answer Dismissal for Sprint and Nextel of NY

March 8, 2019

**By:** [Gary Fellner](#)

Gary M. Fellner, Esq., a Principal of Porzio, Bromberg & Newman, P.C. (Porzio), succeeded in obtaining a Pre-Answer Dismissal Order for Porzio's clients, Sprint Corporation and Nextel of New York, Inc. The case was filed in the New York Supreme Court before the Honorable Barry R. Ostrager, J.S.C., in *Stone & Broad Inc. v. Nextell of New York, Inc. et al.* Plaintiff, a tenant in a building in lower Manhattan, sued numerous parties, along with our two clients, seeking indemnification and legal fees arising out of a settlement that the Plaintiff paid to the building owner in the sum of \$750,000 to settle the owner's numerous claims for property damage. Porzio attorneys raised several grounds for dismissal of the tenant's action under New York State law. After Mr. Fellner argued the motion, the Court agreed with Porzio that there is no basis to impose liability and seek any damages against either of Porzio's two clients.

The Porzio team was led by Principal Gary M. Fellner, Esq. with assistance from Allan I. Young, Esq. and Suzanne Hammill.

To see the full decision, please [click here](#).