

# MICHAEL FLAKE

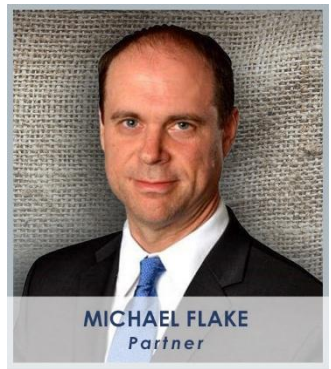
Michael is a litigation partner in the Insurance Defense practice group handling matters in state and federal courts. He attended Brooklyn Law School and earned Law Review honors.

For 18 years, Michael has been an experienced litigator and appellate advocate with a stellar record of success in defending cases at each stage of litigation from pre-trial motions, settlement, mediation, and trial and appellate wins. He has defended individuals, co-ops, homeowners, business owners and major retail corporations against personal injury claims. Michael focuses his practice on premises liability, construction and Labor Law claims, motor vehicle and various other negligence actions. Michael's experience also includes the defense of insurance companies in first-party and third-party claims and coverage issues.

Prior to joining the firm, Michael was the lead partner in the White Plains satellite office for Smith Sovik Kendrick & Sugnet P.C.

## Representative Matters:

- Represented a landowner and obtained summary judgment in Nassau County on a premise liability case where Plaintiff alleged a door swung shut too fast, striking her in the back, and causing her to fall sustaining injuries that required arthroscopic surgery. In granting summary judgment after oral arguments, the Court found that we established through the use of party deposition testimony, affidavits, and prior complaint logs, there was no evidence that the door was dangerous or defective, and the Plaintiff's expert failed to raise a triable issue of fact in opposition. Additionally, Plaintiff was unable to provide evidence that she had reported issues with the door prior to the accident.
- Obtained summary judgment granting dismissal of a lawsuit against a construction manager, where a bicyclist allegedly hit a defect in the roadway and fell from his bicycle. The Court found that we established through photos exchanged during discovery, and the sworn statements of Plaintiff, that the Construction Manager did not owe a duty to Plaintiff as it did not control or have special use of the area where Plaintiff's accident occurred, nor did it create the condition in the road.



**MICHAEL FLAKE**  
*Partner*

## CONTACT



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## PRACTICE AREAS

Construction/Labor Law

Medical Malpractice

Defense/Personal Injury

## EDUCATION