

**SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY**

PRESENT: HON. PAUL A. GOETZ PART 47

*Justice*

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MILAGROS MUSSE,

Plaintiff,

- v -

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY, PORT  
AUTHORITY OF NEW YORK AND NEW JERSEY

Defendants.

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The following e-filed documents, listed by NYSCEF document number (Motion 003) 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119

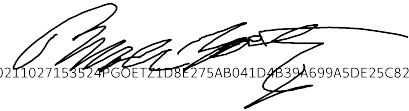
were read on this motion to/for SUMMARY JUDGMENT(AFTER JOINDER).

Upon the foregoing documents, it is

ORDERED that defendant Port Authority of New York and New Jersey's motion for summary judgment seeking dismissal of plaintiff's Labor Law complaint must be granted as PANYNJ is not a proper Labor Law defendant because it did not hire plaintiff or her employer, Tutor Perini, and did not contract for the work done at the premises (*Ahmed v Momart Discount Store, Ltd.*, 31 AD3d 307 [1<sup>st</sup> Dept 2006]; *see also Brown v. Christopher St. Owners Corp.*, 211 A.D.2d 441, 442 [1<sup>st</sup> Dep't 1995], *affd* 87 NY2d 938 1996); and it is further

ORDERED that the complaint is dismissed against said defendant with costs and

disbursements and the Clerk shall enter judgment accordingly.

  
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10/27/2021  
DATE

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PAUL A. GOETZ, J.S.C.

CHECK ONE:

<input checked="" type="checkbox"/>	CASE DISPOSED	
<input checked="" type="checkbox"/>	GRANTED	<input type="checkbox"/> DENIED
<input type="checkbox"/>	SETTLE ORDER	
<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	

<input type="checkbox"/>	NON-FINAL DISPOSITION	
<input type="checkbox"/>	GRANTED IN PART	<input type="checkbox"/> OTHER
<input type="checkbox"/>	SUBMIT ORDER	
<input type="checkbox"/>	FIDUCIARY APPOINTMENT	<input type="checkbox"/> REFERENCE

APPLICATION:

CHECK IF APPROPRIATE: