

# State of New York Court of Appeals

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This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 59 SSM 12  
Alison Regan,  
Appellant,  
v.  
W Associates, LLC, et al.,  
Respondents.

Submitted by Ephrem J. Wertenteil, for appellant.  
Submitted by Heidi J. Lewis, for respondents.

On review of submissions pursuant to section 500.11 of the Rules, appeal from that portion of the Appellate Division order that denied plaintiff's cross-motion to amend the bill of particulars dismissed, without costs, upon the ground that such portion of the order does not finally determine the action within the meaning of the Constitution; order otherwise affirmed, without costs. On this record, plaintiff's own conduct was the sole proximate cause of the accident. Plaintiff's remaining arguments are academic. Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

Decided February 15, 2024