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

2 No. 144 SSM 11
Amarnauth Outar et al.,
 Respondents,
 v.
City of New York,
 Appellant.

Submitted by Lawrence A. Silver, for appellant.
Submitted by Lawrence P. Biondi, for respondents.
Defense Association of New York, Inc., amicus curiae.

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On review of submissions pursuant to section 500.4 of the Rules,
order affirmed, with costs. The elevation differential between
the dolly and plaintiff was sufficient to trigger Labor Law
§ 240(1)'s protection, and the dolly was an object that required
securing for the purposes of the undertaking (cf. Narducci v
Manhasset Bay Assoc., 96 NY2d 259, 268 [2001]). Chief Judge Kaye
and Judges G.B. Smith, Ciparick, Rosenblatt, Graffeo, Read and
R.S. Smith concur.

Decided June 9, 2005