

Feb 2024 | [Firm News](#)

Yankwitt LLP Scores Rarely Granted Extension to File Notice of Claim

Armed with compelling facts and persuasive legal arguments, Yankwitt LLP successfully obtained permission to serve a late Notice of Claim on behalf of its out-of-state hospitality client. This legal victory arose from an incident where the client's hotel flooded due to a burst pipe in an adjacent parking lot owned by the City of New Rochelle.

New York law requires those injured by the alleged negligence of a municipality to file a formal Notice of Claim within a short window following the incident. Failure to adhere to this requirement results in the prohibition of future litigation. Although the court possesses the authority to grant leave to file a late notice of claim, that extraordinary relief is rarely granted. Yankwitt LLP, however, was undaunted and convinced the court to grant its petition to serve a late Notice of Claim on the city. This successful brief writing enabled the hotel to commence a lawsuit after the city was unwilling to settle the case out of court.