



Cassandra H. Donovan

Senior Counsel

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EDUCATION

JD, New York Law School,
1999

MUP, New York University,
1995

BA, New York University,
1991, Trustees Scholar

BAR ADMISSIONS

New York

COURT ADMISSIONS

United States District Court
for the Eastern and
Southern Districts of New
York

Cassandra H. Donovan is an accomplished Senior Attorney with a comprehensive background in complex civil litigation. She utilizes her diverse professional background and lengthy legal experience to represent clients in various phases of the litigation process. Ms. Donovan's practice focuses on complex civil litigation involving several areas, including general liability, professional liability, toxic torts, product liability, municipal liability, and appellate advocacy.

For more than a decade, Ms. Donovan was actively engaged in the defense and management of an extensive caseload, on behalf of major corporate clients, in the Upstate New York Asbestos Litigation. Ms. Donovan has also successfully defended officers and directors of housing cooperatives/corporations in New York City area Courts, and before the New York City Commission on Human Rights.

Before joining Hickey Smith, Ms. Donovan devoted her practice to the defense and prosecution of complex civil litigation matters in the areas of negligence/personal injury, premises liability, municipal liability, and construction law before New York City area Courts. Before embarking on her law career, Ms. Donovan was the Assistant Director of Commercial Revitalization at an NYC Local Economic Development Corporation, where she devised and implemented public-private initiatives to foster targeted and sustainable economic development and commercial revitalization ventures in various neighborhoods in The Bronx, New York.

After earning a Bachelor of Arts degree from New York University, where she was also a *Trustees Scholar*, Ms. Donovan served as a Professional Attaché/Intern at the United Nations Centre for Human Rights in Geneva, Switzerland. Notably, she also served as a Judicial Intern for the Honorable Martin Schoenfeld, a Justice of the New York State Supreme Court. Ms. Donovan also worked as a Law Intern at the New York City Department of Transportation (DOT) and The New York City Administration for Children Services (ACS).

REPRESENTATIVE MATTERS

- Summary Judgment granted to Defendant/Third-Party Plaintiff. Plaintiff's general awareness of a dangerous condition held insufficient to establish notice. Court also found that plaintiff's speculation as to causation did not constitute a factual issue warranting trial. The Appellate Division Second Department unanimously affirmed the lower Court's decision holding that Defendant/Respondent had demonstrated its prima facie entitlement to summary judgment, as a matter of law, by showing that it neither created nor had actual, or constructive notice of the allegedly hazardous condition which caused plaintiff's injuries. The Court also agreed that plaintiff's speculative "proof" was legally insufficient to raise a genuine issue of fact in the matter.
- Summary Judgment granted in complex negligence matter. Defendant, a holding company, was found to be a servient tenement easement holder, and as such, Court held that it did not owe any legal duty to plaintiff. Co-defendants' cross claims for contractual contribution and indemnity were also summarily dismissed. NB: This case was fully litigated in Erie County Supreme Court.
- Affirmance of decision denying defendant, insurer's motion to re-settle the lower court's order and judgment directing plaintiff school district to recover from insurer the cost of obtaining a letter of credit. The Appellate Division, First Department found that the insurer was collaterally estopped from raising substantive issues which had been previously argued and determined on a prior appeal.

PUBLISHED WORKS AND LECTURES

Ms. Donovan is a frequent guest speaker, motivational speaker, and lecturer at community and youth events in connection with educational and youth mentoring and other faith-based programs.

ACTIVITIES AND MEMBERSHIP

Ms. Donovan is a member of the American Bar Association (ABA) and the New York State Bar Association (NYSBA), and a former member of the ABA Council of Appellate Lawyers Rules Committee.