
Abrams Fensterman Wins Motion to Quash Subpoenas in Evergreen Fire Litigation

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Abrams Fensterman Secures Key Discovery Win in Evergreen Fire Litigation

Abrams Fensterman, LLP secured an important discovery victory in the ongoing Evergreen fire litigation, a high-profile wrongful death action arising from the tragic 2021 fire at the Evergreen Court Home for Adults in Spring Valley, New York.

In a decision featured in the *New York Law Journal's* "Decisions of Interest," the Court granted a motion to quash subpoenas seeking sensitive materials from a non-party insurer, including a liability claim file and broad underwriting materials.

The Court held that the insurer's bodily injury liability claim file was created in anticipation of litigation and is conditionally protected from disclosure under New York law. The ruling reinforces important limits on discovery, particularly where a subpoena seeks litigation-related materials, insurer claim files, or proprietary non-party records without a sufficient showing of need.

The motion was led by Abrams Fensterman Partners **David Verschell, Robert Spolzino, Lisa Colosi Florio**, and associate **Michael Richards**.

This result marks a significant win for the defense and underscores Abrams Fensterman's experience handling complex litigation, discovery disputes, insurance-related issues, and high-stakes wrongful death matters across New York.

[Read the full decision as published from The New York Law Journal.](#)