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

No. 210 SSM 22
Switzerland Green,
Appellant,
v.
Metropolitan Transportation
Authority Bus Company, et al.,
Respondents,
Tyese Laws, et al.,
Defendants.

Tyese Laws,
Appellant,
v.
Metropolitan Transportation
Authority Bus Company, et al.,
Respondents.

Submitted by Laurence M. Savedoff, for appellant Green.
Submitted by Jay L. T. Breakstone, for appellant Laws.
Submitted by Arjay G. Yao, for respondents Metropolitan
Transportation Authority Bus Company et al.

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On review of submissions pursuant to section 500.11 of the Rules,
order, insofar as appealed from, reversed, with costs; motion of
defendants Metropolitan Transportation Authority Bus Company and
Isael Reyes for summary judgment denied; and certified question
not answered as unnecessary. On this record, whether the
emergency doctrine precludes liability presents a question of
fact and, therefore, summary judgment for defendants Metropolitan
Transportation Authority Bus Company and Isael Reyes was
inappropriate. Chief Judge Lippman and Judges Pigott, Rivera,
Abdus-Salaam, Stein and Fahey concur.

Decided November 19, 2015