

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT

Galanos v. Northwestern Mut. Inv. Servs., LLC

Galanos, 2026 NY Slip Op 00348 (Supreme Court of the State of New York Appellate Division Second Judicial Department 2026) · No. 2023-08660 · Decided January 28, 2026

SUMMARY

The Appellate Division, Second Department, affirmed an order granting Northwestern Mutual Investment Services, LLC summary judgment dismissing defamation and defamation per se claims. The court held that statements made to FINRA and the New York State Department of Financial Services during investigative stages of quasi-judicial proceedings were protected by absolute privilege. The plaintiff failed to raise a triable issue of fact.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Francesca E. Connolly, J.P.; Helen Voutsinas, J.; Carl J. Landicino, J.; Phillip Hom, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
DECIDED	January 28, 2026
DOCKET	2023-08660
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff appealed from an order granting Northwestern Mutual summary judgment dismissing the defamation and defamation per se causes of action asserted against it.
STANDARD OF REVIEW	The Appellate Division reviewed the grant of summary judgment to determine whether Northwestern Mutual established prima facie entitlement to judgment as a matter of law and whether the plaintiff raised a triable issue of fact.
PRECEDENTIAL VALUE	published
PARTIES	Nicole Galanos v. Northwestern Mutual Investment Services, LLC

TOPICS

defamation

summary judgment

standard of review

appellate procedure

civil procedure

PRACTICE AREAS

defamation

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QUESTIONS PRESENTED

1. Whether Northwestern Mutual's statements to FINRA and NYSDFS during investigative proceedings were protected by an absolute privilege.
2. Whether the plaintiff raised a triable issue of fact sufficient to defeat Northwestern Mutual's motion for summary judgment on the defamation and defamation per se claims.

HOLDINGS

1. The statements were absolutely privileged because they were made to FINRA and NYSDFS during the investigative stages of quasi-judicial proceedings involving compelling public interests, and the process provided a mechanism for the plaintiff to challenge the statements.
2. Summary judgment dismissing the defamation and defamation per se claims against Northwestern Mutual was proper because Northwestern Mutual established its prima facie entitlement to judgment as a matter of law and Galanos failed to raise a triable issue of fact.

KEY QUOTATIONS

“Absolute privilege “can extend to preliminary or investigative stages” of a quasi-judicial proceeding, “where compelling public interests are at stake”” (at 365)

“[F]or absolute immunity to apply in a quasi-judicial context, the process must make available a mechanism for the party alleging defamation to challenge the allegedly false and defamatory statements” (at 671)

FACTUAL BACKGROUND

Northwestern Mutual investigated possible alteration of client-signed documents by Jeffrey Polanco, an insurance agent contracted with Northwestern Mutual. During an investigation meeting, Polanco allegedly stated that Galanos had copied a signature. Northwestern Mutual later notified FINRA and NYSDFS that Polanco denied the allegations but admitted that his assistant had copied and pasted customer signatures, prompting Galanos's defamation claims.

PROCEDURAL HISTORY

Galanos commenced an action alleging, among other claims, defamation and defamation per se based on communications Northwestern Mutual made to FINRA and NYSDFS. The Supreme Court, Dutchess County, granted Northwestern Mutual's motion for summary judgment on those causes of action. The Appellate Division affirmed the order insofar as appealed from.

DISPOSITION

affirmed

CASES CITED

- Stega v. New York Downtown Hosp., 31 N.Y.3d 661, 669-671
- Rosenberg v. MetLife, Inc., 8 N.Y.3d 359, 365
- Park Knoll Assoc. v. Schmidt, 59 N.Y.2d 205, 209
- Alvarez v. Prospect Hosp., 68 N.Y.2d 320, 324-325
- Gluck v. Mapfre Ins. Co. of N.Y., 221 A.D.3d 662, 663-664

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