

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

I.R. v. Santos

2026 NY Slip Op 00270 (Supreme Court of the State of New York Appellate Division Second Judicial
Department 2026) · No. 2024-06877 · Decided January 21, 2026

SUMMARY

The Appellate Division, Second Department, reversed an order denying the plaintiffs' motion for a unified trial on liability and damages in a personal-injury action. The court held that conflicting accounts of the accident and evidence concerning the infant plaintiff's injuries made the nature of the injuries probative of how the accident occurred. The court therefore granted the motion for a unified trial.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Cheryl E. Chambers, J.P.; Paul Wooten; Deborah A. Dowling; Carl J. Landicino
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Department
DECIDED	January 21, 2026
DOCKET	2024-06877
DISPOSITION	reversed
PROCEDURAL POSTURE	The plaintiffs appealed from an order denying their motion for a unified trial on liability and damages in a personal-injury action.
STANDARD OF REVIEW	Whether to bifurcate or unify a trial rests within the trial court's discretion and will not be disturbed absent an improvident exercise of discretion.
PRECEDENTIAL VALUE	Published
PARTIES	I. R., etc., et al. v. Jacinto Santos, et al.

TOPICS

civil procedure

personal injury

appellate procedure

standard of review

PRACTICE AREAS

personal injury

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QUESTIONS PRESENTED

1. Whether the trial court improvidently exercised its discretion by denying the plaintiffs' motion for a unified trial on liability and damages.
2. Whether the nature of the infant plaintiff's injuries had an important bearing on the disputed issue of liability and therefore supported a unified trial.

HOLDINGS

1. A unified trial should be granted where the nature of the plaintiff's injuries has an important bearing on liability; because the parties offered conflicting accounts of the accident and the injury evidence was probative of how the accident occurred, the trial court improvidently exercised its discretion in denying the motion.
2. The decision whether to conduct a bifurcated or unified trial is committed to the trial court's discretion and should not be disturbed absent an improvident exercise of that discretion.

KEY QUOTATIONS

*“Unified trials should only be held 'where the nature of the injuries has an important bearing on the issue of liability’” (*1)*

*“Although [*2]bifurcation is encouraged in appropriate settings, bifurcation is not an absolute given and it is the responsibility of the trial judge to exercise discretion in determining whether bifurcation is appropriate in light of all relevant facts and circumstances presented by the individual cases” (*2)*

*“The decision whether to conduct a bifurcated trial rests within the discretion of the trial court, and should not be disturbed absent an improvident exercise of discretion” (*2)*

FACTUAL BACKGROUND

The infant plaintiff allegedly suffered an injury on May 16, 2020, when the right foot was run over by a van operated by Wilber Gonzalez and owned by Jacinto Santos. Gonzalez disputed that account, testifying that the van was not operating and that he saw the infant plaintiff's father picking her up beside a fallen bicycle. The plaintiffs argued that the nature and extent of the injuries was probative of whether the injury resulted from being run over by the van or from a bicycle fall.

PROCEDURAL HISTORY

After discovery was completed, the plaintiffs moved for a unified trial on liability and damages. The Supreme Court, Suffolk County, denied the motion. The Appellate Division reversed and granted the motion.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The order was reversed, with costs, and the plaintiffs' motion for a unified trial on liability and damages was granted.

CASES CITED

- Wright v. New York City Tr. Auth., 142 A.D.3d 1163, 1163-1164
- Berman v. County of Suffolk, 26 A.D.3d 307, 308
- Parris v. New York City Tr. Auth., 140 A.D.3d 938, 939
- Carbocci v. Lake Grove Entertainment, LLC, 64 A.D.3d 531, 532
- Castro v. Malia Realty, LLC, 177 A.D.3d 58, 65-66
- Abrams v. Excellent Bus Serv., Inc., 91 A.D.3d 681, 682
- Marisova v. Collins-Brewster, 223 A.D.3d 891, 892
- Lind v. City of New York, 270 A.D.2d 315, 316