**Tomeo v. Edleston, Docket No. A-2050-18T4 (App. Div. Mar. 30, 2020) (per curiam)**

Unpublished decision affirming grant of summary judgment for lack of proof of proximate cause that failure to timely file claim for breach of home warranty caused damages where underlying damage alleged by plaintiff was not covered by the warranty. About two months before the warranty expired, plaintiff contacted defendant to pursue a breach of warranty claim relating to alleged improper installation of a vapor barrier leading to leakage and damage to the structure. The warranty claim was untimely filed and defendant attorney admitted in the malpractice action to belatedly filing the claim. Still, the appellate court affirmed the trial court’s findings including, in part, that the alleged injury was not covered by the plan and that plaintiff’s expert report did not explicitly provide a causal link between the home’s damage and plaintiff’s claim of faulty workmanship.