

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ERIE

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TROY SHANE SMITH and ALLYSON JANE  
SMITH,

Plaintiffs,

v.

84 LUMBER COMPANY, et al.,

Defendants.

Index No. : 814633/2023

Date Filed: November 14, 2023

Plaintiff designates

**ERIE**

County as the place of trial

The basis of the venue is  
**DEFENDANTS' PLACE OF  
BUSINESS**

See Attached Rider - FULL CAPTION

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**SECOND AMENDED  
SUMMONS**

**TO THE ABOVE NAMED DEFENDANTS:**

**YOU ARE HEREBY SUMMONED** to answer the Complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance, on the Plaintiff's Attorney within 20 days after the service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York). In the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
May 3, 2024

Yours etc.,

**BELLUCK & FOX, LLP**  
*Attorneys for Plaintiff*  
546 Fifth Avenue, 5th Floor  
New York, New York 10036  
(212) 681-1575

By: /s/ Joseph W. Belluck, Esq.  
Joseph W. Belluck, Esq.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ERIE

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TROY SHANE SMITH and ALLYSON JANE  
SMITH,

Index No. : 814633/2023

**FULL CAPTION RIDER**

Plaintiffs,

- against -

84 LUMBER COMPANY;  
A.O. SMITH WATER PRODUCTS;  
ABB, INC., formerly known as Brown Boveri;  
AIR & LIQUID SYSTEMS CORPORATION, as  
Successor by Merger to Buffalo Pumps, Inc.;  
ALLEN-BRADLEY COMPANY, INC.,  
Individually and as Successor to Rostone;  
AMTROL, INC., Individually and as Successor to  
Thrush Products, Inc.;  
ARMSTRONG INTERNATIONAL, INC.;  
ARMSTRONG PUMPS, INC.;  
ATWOOD & MORRILL CO., INC. d/b/a Weir Valves  
& Controls USA Inc.;  
BLACKMER PUMP;  
BW/IP INTERNATIONAL CO., formerly known as  
Borg Warner Industrial Products Inc., a former  
subsidiary of and successor to Borg Warner  
Corp. and Byron Jackson Pumps;  
CARRIER CORPORATION;  
**CATERPILLAR INC.;**  
CLARK RELIANCE CORPORATION, Individually  
and as Successor to Jerguson;  
CLEAVER BROOKS COMPANY f/k/a Aqua Chem,  
Inc.;  
CLEAVER BROOKS COMPANY f/k/a Aqua  
Chem, Inc. and Davis Engineering;  
COOPER BUSSMANN, a Division of Cooper  
Industries;  
COOPER INDUSTRIES, INC.;  
CROWN BOILER CO.;  
DAP, INC. k/n/a La Mirada Products Co., Inc.;  
DEAN PUMP DIVISION;  
DOMCO PRODUCTS TEXAS, INC., d/b/a Tarkett,  
Inc., Individually and as successor to Azrock  
Industries, Inc.;  
EATON CORPORATION, Individually and now  
Known as Eaton Electrical, Inc and as

Successor to The Vickers Pump Company and  
Cutler-Hammer, Inc and Waterbury Pump;  
ELECTROLUX HOME PRODUCTS, INC.,  
Individually and as Successor to Tappan and  
Copes Vulcan, Blaw-Knox Company, and  
White Consolidated Industries;  
FLOWERVE US, INC., solely as Successor to  
Rockwell Manufacturing Company, Edward  
Valves, Inc., Nordstrom Valves, Inc. and  
Edward Vogt Valve Company;  
FMC CORPORATION, Individually and as Successor  
to Northern Pump Company, Coffin and  
Peerless Pump Company and Labour Pump  
Company;  
FORD MOTOR COMPANY;  
FOSTER WHEELER, LLC;  
GARDNER-DENVER INC., Individually and as  
Successor to Nash Engineering Company;  
GARDNER-DENVER NASH LLC, Individually and  
as Successor to Nash Engineering Company;  
GENERAL ELECTRIC COMPANY;  
GOULDS PUMPS, INC.;  
GREENE, TWEED & CO., LLP, Individually and as  
Successor to Palmetto Packings;  
GRINNELL CORPORATION;  
GTE SYLVANIA INCORPORATED;  
HANSEN PERMANENTE CEMENT INC.;  
HONEYWELL INTERNATIONAL, INC.,  
Individually and f/k/a AlliedSignal, Inc., and as  
Successor-in-Interest to The Bendix Corp.;  
HOWDEN BUFFALO, INC., Individually and as  
Successor In Interest to FB Sturtevant, The  
Howden Buffalo Group and Buffalo Fan;  
I.T.T. INDUSTRIES, INC., Individually and as  
successor to Bell & Gossett;  
INTERNATIONAL PAPER COMPANY f/k/a  
Hammermill Paper Co. and Individually and  
as Successor to US Plywood;  
KAISER GYPSUM COMPANY, INC.;  
LENNOX INDUSTRIES, INC., Individually and as  
Successor to Lennox Furnace Company and  
Ducane;  
MAGNAVOX;  
MANNINGTON MILLS INC.;  
METROPOLITAN LIFE INSURANCE COMPANY;  
MOTOROLA COMMUNICATIONS AND

ELECTRONICS, INC.;  
MOTOROLA MOBILITY, INC.;  
MOTOROLA SOLUTIONS, INC.;  
NEW YORKER BOILER COMPANY, INC.;  
NORTHERN PUMP COMPANY;  
PANASONIC CORPORATION OF NORTH  
AMERICA, Individually and as Successor to  
Sanyo North America Corporation and  
Fisher Electronics;  
PARAMOUNT GLOBAL, f/k/a ViacomCBS Inc., f/k/a  
CBS Corporation, a Delaware corporation,  
f/k/a/ Viacom Inc., successor by merger to CBS  
Corporation, a Pennsylvania corporation, f/k/a  
Westinghouse Electric Corporation;  
R.T. VANDERBILT COMPANY, INC.,  
Individually and as Successor to  
International Talc Co., International Pulp Co.  
and Gouverneur Talc Co., Inc.;  
REDCO CORP., f/k/a Crane Co.;  
SANYO NORTH AMERICA CORPORATION,  
Individually and as Successor to Fisher  
Electronics;  
SCHNEIDER ELECTRIC USA, INC. formerly  
known as Square D Company;  
SPIRAX SARCO, INC.;  
THRUSH CO., INC.;  
UNION CARBIDE CORPORATION;  
VANTIVA INTERNET SOLUTIONS, LLC;  
VANTIVA USA SHARED SERVICES INC.;  
VELAN VALVE CORP.;  
VISTEON CORPORATION, Individually and as  
Successor to Philco-Ford;  
WARREN PUMPS, LLC, Individually and as  
Successor to The Quimby Pump Company;  
WEIL McLAIN, a division of Marley Wylain  
Company;  
WEYERHAEUSER COMPANY;  
YORK INTERNATIONAL CORPORATION,  
Individually and as Successor to Frick  
Company;  
ZENITH ELECTRONICS LLC.

Defendants.

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**Defendants' addresses:****DEFENDANT ADDRESS LIST****DEFENDANTS****SERVICE****84 LUMBER COMPANY**

c/o Pierce Hardy Real Estate Inc / Hardy Holdings Inc.  
1019 Rte. 519, Building #5  
Eighty Four, Pennsylvania 15330

**DIRECT****A.O. SMITH WATER PRODUCTS**

A.O. Smith Corporation  
Attn: Debra Schwanda  
11270 W. Park Place  
Milwaukee, WI 53224-9502

**DIRECT****ABB, INC., formerly known as Brown Boveri**

c/o ABB US Head Office  
305 Gregson Drive  
Cary, NC, 27511

c/o Corporation Trust Company  
1209 North Orange Street  
Wilmington, Delaware 19801

**AIR & LIQUID SYSTEMS CORPORATION, as Successor  
by Merger to Buffalo Pumps, Inc.**

726 Bell Avenue, Suite 302  
Carnegie, Pennsylvania, 15106

**DIRECT****ALLEN-BRADLEY COMPANY, INC., Individually and as  
Successor to Rostone**

1201 South Second Street  
Milwaukee, Wisconsin 53204-2496

**DIRECT****AMTROL, INC., Individually and as Successor to Thrush  
Products, Inc.**

Amtrol  
1400 Division Road  
West Warwick, Rhode Island 02893

**Registered Agent**

CT Corporation System  
450 Veterans Memorial Parkway, Suite 7A  
East Providence, RI 02914

**ARMSTRONG INTERNATIONAL, INC.**

900 Maple Street  
Three Rivers, Michigan 49093

**DIRECT****ARMSTRONG PUMPS INC.**

93 East Avenue  
North Tonawanda, New York 14120-6594

c/o Secretary of State  
Albany, New York 12207

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