

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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DENNIS KILKENNY and PATRICIA KILKENNY,

Index No. 190011/2024

Plaintiffs,

**DEFENDANT REDCO
CORPORATION'S VERIFIED
ANSWER TO PLAINTIFFS'
VERIFIED COMPLAINT,
AFFIRMATIVE DEFENSES,
CROSS-CLAIMS, AND
ANSWERS TO CROSS-
CLAIMS**

-against-

AII ACQUISITION, LLC, et al.,

Defendants.
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Defendant Redco Corporation, erroneously sued herein as “REDCO CORPORATION, ind. and as suc. to F/K/A CRANE CO. AND IND. AND AS SUC. TO DEMING PUMP, WEINMAN PUMP MANUFACTURING COMPANY, PACIFIC STEEL CORPORATION AND THATCHER BOILER” (hereinafter “Redco Corp.”) through its undersigned counsel K&L Gates LLP, by way of a Verified Answer to Plaintiffs’ Verified Complaint, dated January 9, 2024, states as follows:

COMPLAINT

1. Defendant Redco Corp. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Verified Complaint.
2. Defendant Redco Corp. denies each and every allegation contained in paragraphs 2, 3 and 4 of the Verified Complaint
3. Defendant Redco Corp. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Verified Complaint.
4. Defendant Redco Corp. denies each and every allegation contained in paragraphs 6 and 7 of the Verified Complaint.

5. No responsive pleading is required as to the allegations contained in paragraph 8 of the Complaint as it sets forth legal conclusions, but to the extent that any responsive pleading is required, Redco Corp. denies each and every allegation contained in paragraph 8 of the Complaint.

6. Defendant Redco Corp. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 of the Complaint.

ANSWERING THE FIRST CAUSE OF ACTION

7. Defendant Redco Corp. repeats and re-alleges its answers in response to paragraphs 1 through 9 of the Verified Complaint as if fully set forth herein.

8. Insofar the allegations contained in paragraph 10 do not pertain to defendant Redco Corp., no response is required nor made thereto. Inasmuch as these allegations may be construed as pertaining to Redco Corp., Redco Corp. denies each and every allegation contained in paragraph 10 of the Verified Complaint.

9. Defendant Redco Corp. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 11 of the Verified Complaint.

10. Defendant Redco Corp. denies each and every allegation contained in paragraphs 12, 13, 14, 15, 16, 17(a)-(h), 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33(a)-(j), 34 and 35 of the Verified Complaint.

ANSWERING THE SECOND CAUSE OF ACTION

11. Defendant Redco Corp. repeats and re-alleges its answers in response to paragraphs 1 through 35 of the Verified Complaint as if fully set forth herein.

12. Defendant Redco Corp. denies each and every allegation contained in paragraphs 36, 37, 38 and 39 of the Verified Complaint.

ANSWERING THE THIRD CAUSE OF ACTION

13. Defendant Redco Corp. repeats and re-alleges its answers in response to paragraphs 1 through 39 of the Verified Complaint as if fully set forth herein.

14. Defendant Redco Corp. denies each and every allegation contained in paragraphs 40 and 41 of the Verified Complaint.

ANSWERING THE FOURTH CAUSE OF ACTION

15. Defendant Redco Corp. repeats and re-alleges its answers in response to paragraphs 1 through 42 of the Verified Complaint as if fully set forth herein.

16. Defendant Redco Corp. denies each and every allegation contained in paragraphs 43, 44, 45, 46, 47, 48, 49, 50, 51, 52(a)-(l), 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 68 of the Verified Complaint.

ANSWERING THE FIFTH CAUSE OF ACTION

17. In response to paragraph 69 of the Verified Complaint, Defendant Redco Corp. repeats and re-alleges its answers in response to paragraphs 1 through 68 of the Verified Complaint as if fully set forth herein.

18. Insofar as the allegations contained in paragraphs 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81 and 82 of the Verified Complaint do not pertain to defendant Redco Corp., no response is required nor made thereto. Inasmuch as these allegations may be construed as pertaining to Redco Corp., Redco Corp. denies each and every allegation contained in paragraphs 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81 and 82 of the Verified Complaint.

ANSWERING THE SIXTH CAUSE OF ACTION

19. In response to paragraph 83 of the Verified Complaint, Defendant Redco Corp. repeats and re-alleges its answers in response to paragraphs 1 through 82 of the Verified Complaint as if fully set forth herein.

20. Insofar as the allegations contained in paragraphs 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 and 98 of the Verified Complaint do not pertain to defendant Redco Corp., no response is required nor made thereto. Inasmuch as these allegations may be construed as pertaining to Redco Corp., Redco Corp. denies each and every allegation contained in paragraphs 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 and 98 of the Verified Complaint.

ANSWERING THE SEVENTH CAUSE OF ACTION

21. Defendant Redco Corp. repeats and re-alleges its answers in response to paragraphs 1 through 99 of the Verified Complaint as if fully set forth herein.

22. Defendant Redco Corp. denies each and every allegation contained in paragraph 99 of the Verified Complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE
REDCO CORP. ALLEGES UPON INFORMATION AND BELIEF

This Court did not acquire personal jurisdiction over Redco Corp. due to insufficiency of service of process.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE
REDCO CORP. ALLEGES UPON INFORMATION AND BELIEF

This Court does not have personal, specific or general jurisdiction over Redco Corp.

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE
REDCO CORP. ALLEGES UPON INFORMATION AND BELIEF**

In whole or in part, the Complaint fails to state a claim upon which relief can be granted.

**AS AND FOR A FOURTH AFFIRMATIVE DEFENSE
REDCO CORP. ALLEGES UPON INFORMATION AND BELIEF**

The Complaint fails to contain allegations about, concerning, or directed at Redco Corp. and therefore fails to state a claim against Redco Corp.

**AS AND FOR A FIFTH AFFIRMATIVE DEFENSE
REDCO CORP. ALLEGES UPON INFORMATION AND BELIEF**

There is no justiciable issue or controversy.

**AS AND FOR A SIXTH AFFIRMATIVE DEFENSE
REDCO CORP. ALLEGES UPON INFORMATION AND BELIEF**

Plaintiffs' claims are barred because of their failure to join necessary and indispensable parties.

**AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE
REDCO CORP. ALLEGES UPON INFORMATION AND BELIEF**

To the extent that any Plaintiff herein seeks to maintain a claim for relief on behalf of any decedent, such Plaintiff lacks authority, capacity and/or standing to maintain such claim for relief against Redco Corp., including, but not limited to, the failure to allege sufficient facts to demonstrate legal capacity to sue pursuant to New York Estates Powers and Trusts Law §5-1.1 to 5-4.6.

**AS AND FOR AN EIGHTH AFFIRMATIVE DEFENSE
REDCO CORP. ALLEGES UPON INFORMATION AND BELIEF**

Venue is improper in this county.

**AS AND FOR A NINTH AFFIRMATIVE DEFENSE
REDCO CORP. ALLEGES UPON INFORMATION AND BELIEF**

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