

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

X

DENNIS KILKENNY AND PATRICIA KILKENNY,

Plaintiffs,

Index No: 190011/2024

- against -

**VERIFIED
ANSWER TO VERIFIED
THIRD AMENDED
COMPLAINT**

AII ACQUISITION, LLC, F/K/A AII ACQUISITION CORP.,
F/K/A ATHLONE INDUSTRIES, INC., F/K/A
HOLLAND FURNACE COMPANY, *et al.*,

Defendants.

X

Defendant, **ZURN INDUSTRIES, LLC**, improperly pled as **ZURN INDUSTRIES ind. and as suc. to ERIE CITY IRON WORKERS CORPORATION** (hereinafter “**ZURN INDUSTRIES, LLC**”) by its attorneys **McGivney, Kluger, Clark & Intoccia, P.C.** for its Verified Amended Answer to Plaintiffs’ Verified Complaint states as follows:

1. Defendant, **ZURN INDUSTRIES, LLC**, denies any knowledge or information sufficient to form a belief as to each and every allegation contained in Paragraph “1” of Plaintiffs’ Verified Complaint and leaves Plaintiffs to their proofs.
2. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “2” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant, refers all questions of law to this Court for determination at time of trial, and denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint to this Court for determination at time of trial.

3. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “3” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant, refers all questions of law to this Court for determination at time of trial, and denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint to this Court for determination at time of trial.

4. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “4” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant, refers all questions of law to this Court for determination at time of trial, and denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint to this Court for determination at time of trial.

5. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “5” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant, refers all questions of law to this Court for determination at time of trial, denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint to this Court for determination at time of trial and leaves Plaintiffs to their proofs.

6. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “6” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant, refers all questions of law to this Court for determination at time of trial, and denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint to this Court for determination at time of trial.

7. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “7” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant, refers all questions of law to this Court for determination at time of trial, and denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint to this Court for determination at time of trial.

8. Defendant, **ZURN INDUSTRIES, LLC**, denies any knowledge or information sufficient to form a belief as to each and every allegation contained in Paragraph “8” of Plaintiffs’ Verified Complaint and leaves Plaintiffs to their proofs.

9. Defendant, **ZURN INDUSTRIES, LLC**, denies any knowledge or information sufficient to form a belief as to each and every allegation contained in Paragraph “9” of Plaintiffs’ Verified Complaint and leaves Plaintiffs to their proofs.

**AS AND FOR AN ANSWER TO THE
FIRST CAUSE OF ACTION**

Defendant, **ZURN INDUSTRIES, LLC**, herein repeats and reiterates each and every answer heretofore made to Paragraphs “1” through “9” of Plaintiffs’ Verified Complaint.

10. Defendant, **ZURN INDUSTRIES, LLC**, denies any knowledge or information sufficient to form a belief as to each and every allegation contained in Paragraph “10” of Plaintiffs’ Verified Complaint and leaves Plaintiffs to their proofs

11. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “11” of the Plaintiffs’ Verified Complaint insofar as it pertains to the answering defendant, denies any knowledge or information sufficient to form a belief as to each and every allegation contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint and leaves Plaintiffs to their proofs.

12. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “12” of the Plaintiffs’ Verified Complaint insofar as it pertains to the answering defendant, denies any knowledge or information sufficient to form a belief as to each and every allegation contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint, and leaves Plaintiffs to their proofs.

13. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “13” of the Plaintiffs’ Verified Complaint insofar as it pertains to the answering defendant, denies any knowledge or information sufficient to form a belief as to each and every allegation contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint, and leaves Plaintiffs to their proofs.

14. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “14” of the Plaintiffs’ Verified Complaint insofar as it pertains to the answering defendant and denies any knowledge or information sufficient to form a belief as to each and every allegation contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint.

15. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “15” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant and refers all questions of law to this Court for determination at time of trial, and denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint.

16. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “16” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant and refers all questions of law to this Court for determination at time of trial, denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint, and leaves Plaintiffs to their proofs.

17. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “17”, and all subparts, of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant and refers all questions of law to this Court for determination at time of trial, denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint, and leaves Plaintiffs to their proofs.

18. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “18” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant, and refers all questions of law to this Court for determination at time of trial, denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint, and leaves Plaintiffs to their proofs.

19. Defendant, **ZURN INDUSTRIES, LLC**, denies each and every allegation contained in Paragraph “19” of the Plaintiffs’ Verified Complaint as it pertains to this answering defendant, and refers all questions of law to this Court for determination at time of trial, denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the aforesaid paragraph as it pertains to the remaining defendants in the Plaintiffs’ Verified Complaint, and leaves Plaintiffs to their proofs.

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