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March 1, 2024

Via Regular Mail and NYSCEF

Matthew Park, Esq.
The Early Law Firm, LLC
360 Lexington Avenue, 20th Fl
New York, NY 10017

Re: Dennis Kilkenny and Patricia Kilkenny v. AII Acquisition, LLC, et al.
Index No.: 190011/2024
Our File No.: 305335-00001

Dear Mr. Park:

This firm represents Defendant Taco, Inc., in the above-referenced matter. A review of the discovery to date reveals that Plaintiff has not provided any identification of Taco, Inc. as a source of Plaintiff's alleged asbestos exposure. Accordingly, please advise me of the source of Plaintiff's product identification as and against Taco, Inc.

Lacking any product identification we would ask that you please sign the enclosed Unopposed Summary Judgment Motion and Order and return same to us for filing at your earliest convenience.

Respectfully Submitted,
ECKERT SEAMANS CHERIN & MELLOTT, LLC

/s/ Michelle D. Grady
Michelle D. Grady

MDG/ys
Enclosures

cc: All Counsel of Record via NYSCEF

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORKDENNIS KILKENNY and PATRICIA
KILKENNY,

Index No.: 190011/2024

Plaintiffs,

v.

**UNOPPOSED
SUMMARY JUDGMENT
MOTION AND ORDER**AII ACQUISITION, LLC, f/k/a AII ACQUISITION
CORP., f/k/a ATHLONE INDUSTRIES, INC., f/k/a
HOLLAND FURNACE COMPANY, et al.,

Defendants.

WHEREFORE Defendant **Taco, Inc.**, hereby requests summary judgment in the above-entitled case, pursuant to Civil Practice Law and Rules § 3212, dismissing Plaintiffs' complaint and cross-claims against Defendant **Taco, Inc.**, with prejudice, and after notice to all co-defendants there is no opposition, it is

ORDERED, that all claims and cross-claims against Defendant **Taco, Inc.**, are dismissed with prejudice and without costs.

Dated: White Plains, New York

_____, 2024

Matthew Park, Esq.
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Michelle Grady

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SO ORDERED, _____