

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
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, **SID HARVEY INDUSTRIES, INC.** by its attorneys **McGivney,**

Kluger, Clark & Intoccia, P.C. for its Verified Amended Answer to Plaintiffs' Verified

Complaint states as follows:

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

10. Defendant, **SID HARVEY INDUSTRIES, INC.**, 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, **SID HARVEY INDUSTRIES, INC.**, 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, **SID HARVEY INDUSTRIES, INC.**, 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, **SID HARVEY INDUSTRIES, INC.**, 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, **SID HARVEY INDUSTRIES, INC.**, 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, **SID HARVEY INDUSTRIES, INC.**, 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, **SID HARVEY INDUSTRIES, INC.**, 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, **SID HARVEY INDUSTRIES, INC.**, 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, **SID HARVEY INDUSTRIES, INC.**, 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, **SID HARVEY INDUSTRIES, INC.**, 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.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.