

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

NYCAL
I.A.S. Part 13

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IN RE: NEW YORK CITY
ASBESTOS LITIGATION
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Index No.: 190011/2024

DENNIS KILKENNY and PATRICIA KILKENNY,

**UNOPPOSED
SUMMARY
JUDGMENT MOTION
AND ORDER**

Plaintiffs,

- against -

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

Defendants.

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WHEREFORE, defendant BW/IP, Inc. and Its Wholly-Owned Subsidiaries (incorrectly
named as “BW/IP INTERNATIONAL COMPANY” and “BW/IP INTERNATIONAL
CORPORATION (formerly BORG WARNER INDUSTRIAL PRODUCTS) ind. and as suc. to
SUCCESSOR IN INTEREST TO BYRON JACKSON PUMPS”) (“BW/IP”) requests summary
judgment in the above-entitled action, pursuant to Civil Practice Law and Rules § 3212, dismissing
the complaint and cross-claims against BW/IP with prejudice, and after notice to all co-defendants
there is no opposition, it is

ORDERED that all claims and cross-claims against defendant BW/IP are dismissed with
prejudice and without costs.

Dated: New York, NY

3/5/2024


Matthew Park, Esq.
THE EARLY FIRM, LLC
Attorneys for Plaintiffs
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New York, NY 10017

/s/Andrew J. Wells

Andrew J. Wells, Esq.
**SEGAL McCAMBRIDGE SINGER &
MAHONEY, LTD.**
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Wholly-Owned Subsidiaries*
777 Third Avenue, Suite 2400
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SO ORDERED, _____