

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

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DENNIS KILKENNY and PATRICIA KILKENNY,

Plaintiffs,

NYCAL  
I.A.S. Part 13  
(Silvera, A.)

- against -

Index No. 190011/2024

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

**UNOPPOSED SUMMARY  
JUDGMENT MOTION AND  
ORDER**

Defendants.  
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WHEREFORE, the Defendant, TOSHIBA AMERICA, INC. (incorrectly pled as "Toshiba America Inc.") (hereinafter "Toshiba"), requests summary judgment in the above-entitled action, pursuant to Civil Practice Law and Rules § 3212, dismissing the complaint and cross-claims against Toshiba, with prejudice, and after notice to all defendants there is no opposition, it is

ORDERED that all claims and cross claims against the defendant, TOSHIBA AMERICA, INC., are dismissed with prejudice and without costs.

Dated: New York, New York  
2/28, 2024

The Early Law Firm, L.L.C.

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SO ORDERED, Adam Silvera  
Honorable Adam Silvera, J.S.C.

MAR - 5 2024