

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK	Index No.: 190011/2024 VERIFIED ANSWER TO VERIFIED COMPLAINT AND FIFTH AMENDED VERIFIED COMPLAINT
DENNIS KILKENNY and PATRICIA KILKENNY, 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,	

Defendant, **EMERSON RADIO CORP.**, by its attorneys The Cook Group, PLLC, answering Plaintiffs' Summons, Verified Complaint, and Fifth Amended Verified Complaint, and in this action, hereby states upon information and belief as follows:

1. Defendant, **EMERSON RADIO CORP.**, denies any knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph "1" of the Plaintiffs' Verified Complaint.
2. Defendant, **EMERSON RADIO CORP.**, denies the allegations in Paragraph "2" related to the alleged commission of tortious acts and/or acts giving rise to injuries and losses and denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations. **EMERSON RADIO CORP.** denies knowledge or information sufficient to form a belief as to the truth of allegations contained in this paragraph pertaining to the remaining Defendants.
3. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph "3" 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 Verified Complaint.

4. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “4” 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 Verified Complaint.

5. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “5” 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 Verified Complaint.

6. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “6” 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 Verified Complaint.

7. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “7” 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 Verified Complaint.

8. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “8” 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 Verified Complaint.

9. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “9” 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 Verified Complaint.

AS AND FOR AN ANSWER TO THE FIRST CAUSE OF ACTION

10. Defendant, **EMERSON RADIO CORP.**, herein repeats, reiterates, and re-alleges each and every answer heretofore made to Paragraphs “1” through “9” of Plaintiffs’ Verified Complaint as if set forth in full herein.

11. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “10” 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 Verified Complaint.

12. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “11” 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 Verified Complaint.

13. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “12” 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 Verified Complaint.

14. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “13” 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 Verified Complaint.

15. Defendant, **EMERSON RADIO CORP.**, 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 Verified Complaint.

16. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “15” 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 Verified Complaint.

17. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “16” 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 Verified Complaint.

18. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “17,” “17(a),” “17(b),” “17(c),” “17(d),” “17(e),” “17(f),” “17(g),” and “17(h)” 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 Verified Complaint.

19. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “18” 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 Verified Complaint.

20. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “19” 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 Verified Complaint.

21. Defendant, **EMERSON RADIO CORP.**, denies each and every allegation contained in Paragraph “20” 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 Verified Complaint.

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