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May 15, 2024

VIA NYSCEF

Matthew Park, Esq.
THE EARLY LAW FIRM, LLC
360 Lexington Avenue, 20th Floor
New York, NY 10017

Re: New York City Asbestos Litigation
Plaintiffs: Dennis Kilkenny and Patricia Kilkenny
Index No.: 190011/2024

Dear Mr. Park:

Enclosed please find Unopposed Summary Judgment Motion and Order forwarded on behalf of our client: **ZURN INDUSTRIES, LLC**, improperly pled as **ZURN INDUSTRIES ind. and as suc. to ERIE CITY IRON WORKERS CORPORATION** (hereinafter “**ZURN INDUSTRIES, LLC**”). Our client has not been identified in any way during the discovery process. We ask that you kindly execute the enclosed documents and return one original to the undersigned.

Thank you for your kind attention to this matter.

Very truly yours,
MCGIVNEY, KLUGER, CLARK & INTOCCIA, P.C.

Keith O'Connor, Esq.

KO/mc
Enclosure
cc: All Known Defense Counsel via NYSCEF

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

IN RE: NEW YORK CITY
ASBESTOS LITIGATION

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.

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

Index No.: **190011/2024**

**UNOPPOSED SUMMARY
JUDGMENT MOTION AND ORDER**

WHEREFORE, defendant, **ZURN INDUSTRIES, LLC**, improperly pled as **ZURN INDUSTRIES ind. and as suc. to ERIE CITY IRON WORKERS CORPORATION (hereinafter “ZURN INDUSTRIES, LLC”)** requests summary judgment in the above-entitled action, pursuant to Civil Practice Law and Rules § 3212, dismissing the complaint and cross-claims against ZURN INDUSTRIES LLC, with prejudice, and after notice to all co-defendants there is no opposition, it is

ORDERED that all claims and cross claims against defendant, ZURN INDUSTRIES LLC, are dismissed with prejudice and without costs.

Dated: New York, New York
_____, 2024



Matthew Park, Esq.
THE EARLY LAW FIRM, LLC
Attorneys for Plaintiff(s)
Dennis Kilkenny and Patricia Kilkenny
700 Broadway,
New York, NY 10003
(212) 558-5500

Keith O'Connor, Esq.
Attorney for Defendant
Zurn Industries LLC
**MCGIVNEY KLUGER CLARK &
INTOCCIA, P.C.**
33 Whitehall Street, 16th Floor
New York, New York 10004
(212) 509-3456

SO ORDERED, _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of May 2024, a copy of the foregoing Summary Judgment Motion and Order of ZURN INDUSTRIES LLC, was filed electronically this day and is available for viewing from the court's ECF system. Notice of this filing will be sent to all counsel of record via the Court's ECF system.

Mildred J. Cortés

Mildred I. Cortés