

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

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JERRY CADIGAN and NANCY CATON CADIGAN, as Co-  
Administrators of the Estate of TREVOR NORRIS CADIGAN,  
Deceased,

Index No.: 152286/2018

Plaintiffs,

**AFFIDAVIT OF CHAD  
DECKER**

-against-

LIBERTY HELICOPTERS, INC., a New York Corporation, NY  
ON AIR LIMITED LIABILITY COMPANY, a New Jersey  
Limited Liability Company, FLYNYON LLC, a Delaware  
Limited Liability Company, MERIDIAN CONSULTING I  
CORPORATION, INC., a Delaware Corporation, RICHARD  
ZEMKE VANCE, a Connecticut resident; AIRBUS  
HELICOPTERS, S.A.S., a French Corporation, AIRBUS  
HELICOPTERS, INC., a Delaware Corporation; And APICAL  
INDUSTRIES, INC. d/b/a DART AEROSPACE, a California  
Corporation; EUROTEC VERTICAL FLIGHT SOLUTIONS,  
LLC, a Kansas Corporation, and EUROTEC CANADA, LTD, a  
Canada Limited Corporation,

Defendants.

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STATE OF KANSAS                    )  
  ) ss:  
COUNTY OF DOUGLAS                )

CHAD DECKER, being duly sworn, deposes and says:

1. I am the President of EUROTEC VERTICAL FLIGHT SOLUTIONS, LLC  
("EuroTec Vertical"), a defendant in this action. I have been the President of EuroTec Vertical  
since approximately 2000. This affidavit is based upon my personal knowledge as well as the  
business records of EuroTec Vertical.

2. I submit this affidavit in support of EuroTec Vertical's motion to dismiss for lack  
of personal jurisdiction.

3. EuroTec Vertical is a Limited Liability Company that was formed under the laws of the State of Kansas and has its principal place of business at 1040 OCL Parkway, Eudora, Kansas 66025. In fact, EuroTec Vertical's place of business in Eudora, Kansas is its only place of business.

4. EuroTec Vertical is a helicopter and engine sales and leasing company. It also provides maintenance, repair and overhaul services for Airbus helicopters, components and Turbomeca gas turbine engines at its facility in Eudora, Kansas.

5. EuroTec Vertical has never been registered to do business in the State of New York.

6. EuroTec Vertical has never been authorized to do business in the State of New York.

7. EuroTec Vertical has never maintained any offices in the State of New York.

8. EuroTec Vertical has never owned or leased any real property in the State of New York.

9. EuroTec Vertical has never owned any personal property in the State of New York.

10. EuroTec Vertical has never maintained any bank accounts in the State of New York.

11. Since 2015, EuroTec Vertical's employees have not traveled to the State of New York on behalf of the company to conduct any business.

12. EuroTec Vertical has never had a registered agent to accept service of process in the State of New York.

13. EuroTec Vertical does not do any business in the State of New York.

14. Since 2015, EuroTec Vertical has not derived any revenue from the sale or leasing of helicopters or engines from any customers located in the State of New York.

15. Since 2015, EuroTec Vertical has not derived any revenue for performing any maintenance, repairs and/or overhauls on helicopters or engines from any customers located in New York.

16. Since 2015, EuroTec Vertical has occasionally shipped parts to customers in New York. These sales are less than one percent of EuroTec Vertical's annual revenue.

17. I have reviewed the Second Amended Complaint wherein plaintiffs allege that EuroTec Vertical "installed, serviced and/or inspected" an emergency float kit on a Eurocopter AS350 B2 helicopter on which plaintiffs' decedent was traveling when this tragic incident occurred.

18. Contrary to the allegations of the Second Amended Complaint, EuroTec Vertical did not install, service and/or inspect the emergency float kit on the subject helicopter. In fact, Eurotec Vertical did not perform any work at any time on the subject helicopter.

19. Co-defendant, EuroTec Canada, is a wholly owned subsidiary of EuroTec Vertical. However, EuroTech Vertical does not direct the day to day activities or operations of EuroTec Canada. EuroTec Canada is operated from its facilities in Ontario, Canada.

20. EuroTec Vertical does share a website with EuroTec Canada. The website is primarily informational. It does not allow for customers to make direct purchases of products or services although it does allow prospective customers to request a quote.

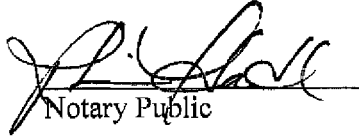
21. In summary, EuroTec Vertical is not incorporated or authorized to do business in the State of New York. It has no offices or employees in New York and has no assets in the

state. EuroTec Vertical does not do business in New York. Moreover, EuroTec was not involved, in any way, with the installation of the flotation kit on the subject helicopter.



Chad Decker

Sworn to before me this  
9<sup>th</sup> day of April, 2019



Notary Public

