

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,

-against-

**AFFIRMATION OF
FRED G. WEXLER IN
FURTHER SUPPORT OF
MOTION TO DISMISS
PURSUANT TO N.Y. CIV.
PRAC. L. & R. 3211(a)(8)**

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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FRED G. WEXLER, an attorney duly admitted to practice law before the Courts of the
State of New York, hereby affirms the following subject to the penalties of perjury:

1. I am a member of the law firm of BROWN GAVALAS & FROMM LLP,
attorneys for defendants, EUROTEC VERTICAL FLIGHT SOLUTIONS, LLC (hereinafter
“EuroTec Vertical”) and EUROTEC CANADA, LTD (hereinafter “EuroTec Canada” and
collectively with EuroTec Vertical referred to herein as “Defendants”).

2. This affirmation is being submitted in: (a) further support of their motion to
dismiss for lack of personal jurisdiction pursuant to N.Y. Civ. Prac. L. & R. 3211 (a)(8); (b) in
reply to Plaintiffs’ opposition to Defendants’ motion to dismiss; and (c) in opposition to
Plaintiffs’ cross-motion compelling jurisdictional discovery from Defendants.

3. In Plaintiffs' opposition papers, they rely upon electronic stored information from NYC, The Official Guide. Contrary to its name, NYC, The Official Guide is not part of the City of New York or any of its agencies. Instead, its website reveals that it is a "501(c)6 private corporation ... represent[ing] the interests of nearly 2,000 member organizations across the spectrum of business and organizations in the City." See <https://business.nycgo.com/about-us/who-we-are/>, a true copy of which is attached hereto as Exhibit 1.

4. A true and correct copy of the Stipulation, dated April 22, 2019, adjourning the instant motion from May 16, 2019 to July 15, 2019 is attached hereto as Exhibit 2.

WHEREFORE, it is respectfully requested that the Court issue an Order granting Defendants' motion to dismiss for lack of personal jurisdiction and dismissing any and all causes of action asserted against the Defendants in the Second Amended Complaint; denying Plaintiffs' cross-motion to compel jurisdictional discovery and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
July 12, 2019



FRED G. WEXLER