

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

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JERRY CADIGAN and NANCY CATON CADIGAN, :  
as the Proposed Administrators of the Estate of :  
TREVOR NORRIS CADIGAN, Deceased, :

Plaintiffs, :

against- :

LIBERTY HELICOPTERS, INC., a New York :  
Corporation; NYONAIR LLC, a New Jersey Limited :  
Liability Company; FLYNYON LLC, a New Jersey :  
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, :

Defendants. :

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Index No. 152286/2018

**NOTICE OF CROSS-MOTION**

PLEASE TAKE NOTICE that, upon the annexed Affirmation of Matthew F. Schwartz, and the exhibits submitted herewith, upon the accompanying Memorandum of Law, and upon all the prior pleadings and proceedings had herein, plaintiffs Jerry Cadigan and Nancy Caton Cadigan will cross-move this Court in the Motions Submission Part (Room 130) at the Courthouse located at 60 Centre Street, New York New York on September 21, 2018 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order, pursuant to CPLR Rules 3124 and 3211(d), deferring a ruling on the motion by defendant Apical Industries, Inc. to dismiss the complaint for lack of jurisdiction and compelling Apical to submit to jurisdictional discovery, and granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR Rule 2214(b), answering affidavits, if any, are required to be served upon the undersigned at least seven (7) days prior to the return date of this cross-motion.

Dated: New York, New York  
September 6, 2018

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*Attorneys for Plaintiffs*

\* Pending *Pro Hac Vice*