

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

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

Index No.: 152286/2018

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 COPORATION, 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.

**NOTICE OF MOTION TO DISMISS APICAL INDUSTRIES
FOR LACK OF PERSONAL JURISDICTION PURSUANT TO CPLR 3211(A)(8)**

PLEASE TAKE NOTICE, that upon the annexed Affirmation of Eugene Massamillo, dated June 18, 2018, with exhibits annexed thereto, the Affidavit of Alain Madore, sworn to on June 18, 2018, the accompanying Memorandum of Law, and all prior pleadings and proceedings in this matter, Defendant APICAL INDUSTRIES, INC. d/b/a DART AEROSPACE, by and through their undersigned attorneys, will move this Court at the Motion Support Office Courtroom, Room130, to be heard at the Courthouse located to 60 Centre Street, New York, New York, on July 18, 2018, at 9:30 o'clock in the forenoon, or as soon thereafter as counsel can be heard for an Order dismissing Plaintiff's First Amended Complaint and any and all

crossclaims pursuant to CPLR 3211(a)(8), CPLR 302, and the Fourteenth Amendment to the United States Constitution insofar as asserted against Defendant APICAL INDUSTRIES, INC. d/b/a DART AEROSPACE, on the ground that this Court lacks personal jurisdiction over the Defendant, and granting such other relief as the Court deems proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, are to be served pursuant to CPLR 2214(b) upon the undersigned no later than seven (7) days before the return date of this motion.

Dated: New York, New York
June 18, 2018

KAPLAN, MASSAMILLO & ANDREWS, LLC

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