

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

In re:)
) Chapter 11
BRIGGS & STRATTON)
CORPORATION, *et al.*,) Case No. 20-43597-399
)
Debtors.) (Jointly Administered)

**MOTION FOR RELIEF FROM THE
AUTOMATIC STAY AS TO PATRICIA A. MAIN, INDIVIDUALLY
AND AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF BILLY D. MAIN**

Patricia A. Main, individually and as personal representative for the estate of Billy D. Main (the “Mains”), by and through undersigned counsel, request the entry of an order pursuant to section 362(d) of Title 11 of the United States Code (the “Bankruptcy Code”) and Rule 4001(a) of the Federal Rules of Bankruptcy Procedures, modifying the automatic stay imposed under 11 U.S.C. § 362(a) in favor of Briggs & Stratton Corporation, Billy Goat Industries, Inc. (“Billy Inc.”), and certain of its other debtor affiliates (collectively, the “Debtors”) so the Mains may pursue their state court personal injury claims against the Debtor solely to the extent of insurance assets. In support of this motion (the “Motion”), the Mains state as follows:

Introduction

1. This Motion is brought pursuant to 11 U.S.C. § 362(d)(1) and (2) on the grounds that there is ample cause to permit the Mains’ state court action to proceed as to available insurance. If the Motion is denied and the automatic stay remains in effect, the Mains will suffer hardship by being unable to pursue their claims for recovery against the Briggs & Stratton Corporation (“B&S”) and Billy Inc. Moreover, the Mains will only attempt to satisfy their claims against B&S and Billy Inc. through insurance assets and/or the insurance assets of its predecessors



and successors in interest, if adequate insurance coverage exists. Cause exists to modify the automatic stay to allow the Mains to prosecute their claims against B&S and Billy Inc. in the tort system. The Motion should be granted.

Jurisdiction

2. The Court has jurisdiction over the Debtors' chapter 11 case pursuant to 28 U.S.C. §§ 157 and 1334. The Motion is a core proceeding within the meaning of 28 U.S.C. § 157(b). Venue is proper in this jurisdiction pursuant to 28 U.S.C. §§ 1408 and 1409.

Background

3. On July 20, 2020 (the "Petition Date"), the Debtors each commenced with this Court a voluntary case under chapter 11 of the Bankruptcy Code. The Debtors continue to operate their business and manage their properties as debtors in possession pursuant to Bankruptcy Code sections 1107(a) and 1108.

4. On August 5, 2020, the Office of the United States Trustee appointed an official committee of unsecured creditors (the "Committee"). No trustee or examiner has been appointed in this chapter 11 case.

5. The Debtors, combined with their non-Debtor affiliates (collectively, the "Company"), are the world's largest producer of gasoline engines for outdoor power equipment and a leading designer, manufacturer and marketer of power generation, pressure washer, lawn and garden, turf care and job site products. The Company's products are marketed and serviced in more than 100 countries on six continents through 40,000 authorized dealers and service organizations.

6. The Mains have filed a lawsuit under the theory of products liability, negligence, and other related tort claims (the “State Court Action”) against a number of entities, two of which are B&S and Billy Inc. The State Court action is pending in the Superior Court of the State of Massachusetts, County of Middlesex, Case No. 17-3242. A copy of the complaint is attached hereto as Exhibit A.

7. The asbestos and asbestos-containing products to which Mr. Main was exposed were manufactured, fabricated, contracted, installed, supplied, distributed, sold, specified, required, recommended, and/or incorporated for use by B&S and Billy Inc., acting through their duly authorized agents, servants, and employees, who were then and there acting in the course and scope of their employment and in furtherance of the business of the defendants. .

8. During the course of his employment at Crowell’s Lawn Mower Service, Mr. Main was unavoidably exposed to, inhaled and ingested asbestos fibers and dust contained within and emanating from B&S and Billy Inc.’s asbestos-containing products. Specifically, from in or about 1978 until approximately 2003, Mr. Main was exposed to B&S and Billy Inc.’s asbestos while working as a lawn mower repairman and mechanic in Massachusetts.

9. As a result of this exposure, Mr. Main developed a progressive, debilitating asbestos-related illness, mesothelioma, for which there is no cure. He suffered serious personal injuries, endured great pain of body and mind, suffered severe mental anguish and distress, was prevented from transaction his business, was required to undergo medical treatment, care and expense, and passed away as a result.

Relief Requested

10. The Mains seek to modify the automatic stay pursuant to Bankruptcy Code section 362(d) in order to pursue any available insurance policies that defended and indemnified B&S and

Billy Inc. during the relevant time periods.

Basis for Relief Requested

11. Bankruptcy Code section 362(d)(1) provides that “[o]n request of a party in interest and after notice and a hearing, the court shall grant relief from the stay provided under subsection (a) of this second, such as by terminating, annulling, modifying, or conditioning such stay . . . for cause . . .” 11 U.S.C. § 362(a)(1). The automatic stay operates as “a bar to all collection efforts against a debtor or debtor’s property in an effort to determine creditors’ rights and allow the orderly administration of a debtor’s assets, free from creditor’s interference.” *In re ContinentalAFA Dispensing Co.*, 403 B.R. 653, 659 (Bankr. E.D. Mo. 2009). In other words, the purpose of the automatic stay is to preserve and protect the debtor’s estate, by giving the debtor “a breathing spell from creditors.” *Farley v. Henson*, 2 F.3d 273, 275 (8th Cir. 1993).

12. The Mains submit that there is “cause” to lift the automatic stay and proceed with the State Court Action. “Although Congress did not define cause, it intended that the automatic stay could be lifted to allow litigation involving the debtor to continue in a nonbankruptcy forum under certain circumstance.” *Blan v. Nachogdoches County Hosp. (In re Blan)*, 237 B.R. 737, 739 (B.A.P. 8th Cir. 1999) (citing H.R. Rep. No. 95-595, at 341 (1977); S. Rep. 95-989, at 50 (1978)) (“It will often be more appropriate to permit proceedings to continue in their place of origin, when no great prejudice to the bankruptcy estate would result, in order to leave the parties to their chosen forum and to relieve the bankruptcy court from duties that may be handled elsewhere.”); *see also Bergman v. Wintroub (In re Wintroub)*, 283 B.R. 743, 745 (B.A.P. 8th Cir. 2002); *Wiley v. Hartzler (In re Wiley)*, 288 B.R. 818, 822 (B.A.P. 8th Cir. 2003).

13. “In making the determination of whether to grant relief from the stay, the court must balance the potential prejudice to the Debtor, to the bankruptcy estate, and to the other

creditors against the hardship to the moving party if it is not allowed to proceed in state court.” *In re Blan*, 237 B.R. at 739. Although the Eighth Circuit has not imposed a firm standard for determining whether cause exists to lift the automatic stay to permit an action to proceed in another forum, the Bankruptcy Appellate Panel for the Eighth Circuit and other courts in this Circuit have balanced the following five factors when making this assessment:

- i. judicial economy;
- ii. trial readiness;
- iii. resolution of preliminary bankruptcy issues;
- iv. the movant’s chance of success on the merits; and
- v. the cost of defense or other potential burden to the bankruptcy estate and the impact of the litigation on other creditors.

See, In re Blan, 237 B.R. at 739; *In re Wiley*, 288 B.R. at 822; *In re Wintroub*, 283 B.R. at 745; *Bee Jay’s Hairstyling Acad., Inc. v. Yarbrough*, 540 B.R. 647, 662 (Bankr. E.D. Ark. 2015).

14. A balancing of the above-referenced factors weighs in favor of granting the Mains relief from the automatic stay to continue the State Court Action.

15. Allowing prosecution of the State Court Action will not place a burden on the Debtors’ estate or on the assets available for distribution to creditors, as the Mains seek only to recover amounts from available insurance coverage, if adequate insurance coverage exists. Thus, the Mains’ suit, if successful and adequate insurance coverage exists, will not create a liability for the Debtors’ estates and will not deplete assets that would be available for distribution to other creditors.

16. Moreover, the interests of judicial economy will be served as the litigation in the

State Court Action has been before the Massachusetts court since 2017, and that court is better suited to deal with the issues surrounding the State Court Action, while not burdening the Court.

17. Finally, the Mains are likely to prevail in the State Court Action. The showing that is required as to the probability of success on the merits is very slight. *See, In re Rexene Products Co.*, 141 B.R. 574, 578 (Bankr. D. Del. 1992), (citing *In re Peterson*, 116 B.R. 247, 249 (D. Colo. 1990). “[A]ll that is required is a ‘vague initial showing that [the party seeking relief] can establish a prima facie case.’” *Peterson*, 116 B.R. at 249. The Mains can make such a showing here: Mr. Main was exposed to asbestos-containing products and materials supplied by B&S and Billy Inc. for many decades.

WHEREFORE, the Mains request the entry of an order, pursuant to 11 U.S.C. § 362(d) and Bankruptcy Rule 4001(a)(1): (1) modifying the automatic stay to permit the Mains to prosecute the State Court Action and recovery on any judgment or settlement solely to the extent of any available insurance coverage; (2) waiving the 14-day period imposed by Bankruptcy Rule 4001(a)(3); and (3) granting such other and further relief as this Court deems just and proper.

Dated: October 23, 2020
Wilmington, Delaware

ROBINSON & COLE LLP

/s/ Jamie L. Edmonson
Jamie L. Edmonson (*admitted pro hac vice*)
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*Counsel to Patricia A. Main, individually and as
personal representative for the estate of Billy D.
Main*

Exhibit A

(State Court Action)

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT
DEPARTMENT OF THE
TRIAL COURT

X
PATRICIA A. MAIN, INDIVIDUALLY AND AS
PERSONAL REPRESENTATIVE FOR THE
ESTATE OF BILLY D. MAIN,

CIVIL ACTION NO.
17-3242

Plaintiff,

v.

A.F. GERMAN CO., INC., f/k/a A. F. German Company, Inc.
AGCO CORPORATION
AMERICAN HONDA MOTOR CO., INC.
BCS AMERICA LLC
BILLY GOAT INDUSTRIES, INC.
BLUEBIRD TURF PRODUCTS, LLLP
BRIGGS & STRATTON CORPORATION, individually and
as successor to Simplicity Manufacturing Inc.,
Snapper, Inc., and Billy Goat Industries, Inc.
CARLISLE COMPANIES INCORPORATED
CBS CORPORATION, f/k/a Viacom, Inc., successor by merger
to CBS Corporation, f/k/a Westinghouse Electric
Corporation
CONTINENTAL AUTOMOTIVE SYSTEMS INC., f/k/a
Continental Teves Inc.
CUMMINS INC., f/k/a Cummins Engine Company, Inc.,
individually and as successor to Onan Corporation
DANA COMPANIES, LLC
ECHO, INC.
ELECTROLUX HOME PRODUCTS, INC., individually and as
successor to American Yard Products
ELECTROLUX USA, INC., individually and as successor to
American Yard Products
EXMARK MANUFACTURING COMPANY INC.
FEDERAL-MOGUL ASBESTOS PERSONAL INJURY TRUST,
as successor to Felt Products Manufacturing Co.
FMC CORPORATION, individually and as successor to Bolens
GARDNER-CONNELL LLC, individually and as successor to
W. J. Connell Co., Atlantic Power, Inc. and Atlantic Power
Equipment, Inc.
GARDNER INC., individually and as successor to W. J. Connell Co.,
Atlantic Power, Inc. and Atlantic Power Equipment, Inc.

THIRD AMENDED
COMPLAINT

PLAINTIFF DEMANDS
TRIAL BY JURY

GENERAL ELECTRIC COMPANY, individually and as
successor to George D. Roper Co.
GENUINE PARTS CO.
HAHN INC., individually and as successor to Eclipse Lawn Mower
Co., Kearney-National Inc., Gardex Corp. and Air Rake Mfg.
Corp.
HONEYWELL INTERNATIONAL INC., f/k/a AlliedSignal Inc.,
as successor to The Bendix Corporation
HUSQVARNA CONSUMER OUTDOOR PRODUCTS N.A., INC.,
individually and as successor to American Yard Products,
George D. Roper Co. and Peerless Gear
HUSQVARNA PROFESSIONAL PRODUCTS, INC., individually
and as successor to Tecumseh Products Co. and Peerless Gear
INGERSOLL-RAND COMPANY
KEARNEY-NATIONAL INC., individually and as successor to Hahn
Inc. and Eclipse Lawn Mower Co.
KOHLER CO.
KOKI HOLDINGS AMERICA LTD., individually and as successor to Tanaka
MCCORD CORP.
MTD PRODUCTS COMPANY, f/k/a Modern Tool and Die Company,
individually and as successor to Troy-Bilt and Bolens
NATIONAL AUTOMOTIVE PARTS ASSOCIATION INC., a/k/a
NAPA Auto Parts
PLATINUM EQUITY, LLC, d/b/a Tecumseh Power, individually
and as successor to Tecumseh Products Co.
PNEUMO ABEX LLC, individually and as successor to Abex Corporation
SCHILLER GROUNDS CARE, INC., individually and as successor
to Steiner Co.
SEARS HOLDINGS MANAGEMENT CORP., d/b/a Craftsman
SEARS, ROEBUCK & CO., d/b/a Craftsman
STANLEY BLACK & DECKER, INC., individually and as successor
to Marion-Craftsman Tool Co.
TEC INTERNATIONAL GP LLC, individually and as successor to
and/or Parent or General Partner to Bluebird Turf Products, LLLP
TECUMSEH PRODUCTS COMPANY LLC, f/k/a Tecumseh Products Co.
THE TORO COMPANY, individually and as successor to Evinrude Motors,
Outboard Marine Corporation, Lawn-Boy
and Lawn-Boy Distributors Inc. of New England
TURF PRODUCTS, LLC, individually and as successor to Turf Products Corp.
of Mass. and Turf Products Corporation
WISCONSIN ENGINES LLC
W. J. CONNELL CO.

Defendants.

X

PARTY PLAINTIFF

1. The plaintiff, PATRICIA A. MAIN, resides at 36 Piper's Way, Carver, Plymouth County, in the Commonwealth of Massachusetts.

PARTY DEFENDANTS

2A. A.F. GERMAN CO., INC., f/k/a A. F. German Company, Inc., is a Massachusetts corporation with its principal place of business at 211 Scraggy Neck Road, Cataumet, MA 02534. A.F. GERMAN CO., INC., f/k/a A. F. German Company, Inc., may be served through its registered agent, Mr. Todd A. Davock, 3 Mid Pine Drive, West Harwich, MA 02671-1411.

2B. AGCO CORPORATION is a Delaware corporation with its principal place of business at 4205 River Green Parkway, Duluth, GA 30096. AGCO CORPORATION has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. AGCO CORPORATION may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2C. AMERICAN HONDA MOTOR CO., INC. is a California corporation with its principal place of business at 1919 Torrance Boulevard, Torrance, CA 90501. AMERICAN HONDA MOTOR CO., INC. has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. AMERICAN HONDA MOTOR CO., INC. may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2D. BCS AMERICA LLC is an Oregon limited liability company with its principal place of business at 5001 North Lagoon Avenue, Portland, OR 97217. BCS AMERICA LLC has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts.

2E. BILLY GOAT INDUSTRIES, INC. is a Missouri corporation with its principal place of business at 1325 SW Market Street, Lees Summit, MO 64081. BILLY GOAT INDUSTRIES, INC., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. BILLY GOAT INDUSTRIES, INC. may be served through its registered agent, CSC- Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, MO 65101.

2F. BLUEBIRD TURF PRODUCTS, LLLP is a Delaware corporation with its principal place of business at 68 S. Squirrel Road, Auburn Hills, MI 48326. BLUEBIRD TURF PRODUCTS, LLLP had conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. BLUEBIRD TURF PRODUCTS, LLLP may be served through its registered agent, Nicholas A. Salvatore, 68 S. Squirrel Road, Auburn Hills, MI 48326.

2G. BRIGGS & STRATTON CORPORATION, individually and as successor to Simplicity Manufacturing Inc., Snapper, Inc., and Billy Goat Industries, Inc., is a Wisconsin corporation with its principal place of business at 12301 West Wirth Street, Wauwatosa, WI 53222. BRIGGS & STRATTON CORPORATION, individually and as successor to Simplicity Manufacturing Inc., Snapper, Inc. and Billy Goat Industries, Inc., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. BRIGGS & STRATTON CORPORATION may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2H. CARLISLE COMPANIES INCORPORATED is a Delaware corporation with its principal place of business at 16430 North Scottsdale Road, Suite 400, Scottsdale, AZ 85254. CARLISLE COMPANIES INCORPORATED has conducted business in and derived substantial

revenue from the Commonwealth of Massachusetts. CARLISLE COMPANIES INCORPORATED may be served through its registered agent, United Agent Group Inc., 3411 Silverside Road, Suite 104, Tatnall Buildings, Wilmington, DE 19810.

2I. CBS CORPORATION, f/k/a Viacom, Inc., successor by merger to CBS Corporation, f/k/a Westinghouse Electric Corporation, is a Delaware corporation with its principal place of business at 51 West 52nd Street, New York, NY 10019. CBS CORPORATION, f/k/a Viacom, Inc., successor by merger to CBS Corporation, f/k/a Westinghouse Electric Corporation, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. CBS CORPORATION may be served through its registered agent, Corporation Service Company, 84 State Street, Boston, MA 02109.

2J. CONTINENTAL AUTOMOTIVE SYSTEMS INC., f/k/a Continental Teves Inc., is a Delaware corporation with its principal place of business at One Continental Drive, Auburn Hills, MI 48326. CONTINENTAL AUTOMOTIVE SYSTEMS INC., f/k/a Continental Teves Inc., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. CONTINENTAL AUTOMOTIVE SYSTEMS INC. may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2K. CUMMINS INC., f/k/a Cummins Engine Company, Inc., individually and as successor to Onan Corporation, is an Indiana corporation with its principal place of business at 500 Jackson Street, Columbus, IN 47201. CUMMINS INC., f/k/a Cummins Engine Company, Inc., individually and as successor to Onan Corporation, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. CUMMINS INC. may be served through its registered agent, Corporation Service Company, 84 State Street, Boston, MA 02109.

2L. DANA COMPANIES, LLC is a Virginia limited liability company with its principal place of business at 900 West South Boundary Street, Suite 8A, Perrysburg, OH 43551. DANA COMPANIES, LLC has conducted business in and has derived substantial revenue from the Commonwealth of Massachusetts. DANA COMPANIES, LLC may be served through its registered agent, C.T. Corporation System, 4701 Cox Road, Suite 285, Glen Allen, VA 23060.

2M. ECHO, INC. is an Illinois corporation with its principal place of business at 400 Oakwood Road, Lake Zurich, IL 60047. ECHO, INC. has conducted business in and has derived substantial revenue from the Commonwealth of Massachusetts. ECHO, INC. may be served through its registered agent, Masadu Funai, 203 North Lasalle Street #2500, Chicago, IL 60601.

2N. ELECTROLUX HOME PRODUCTS, INC., individually and as successor to American Yard Products, is a Delaware corporation with its principal place of business at 10200 David Taylor Drive, Charlotte, NC 28262. ELECTROLUX HOME PRODUCTS, INC., individually and as successor to American Yard Products, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. ELECTROLUX HOME PRODUCTS, INC. may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2O. ELECTROLUX USA, INC., individually and as successor to American Yard Products, is a Delaware corporation with its principal place of business at 10200 David Taylor Drive, Charlotte, NC 28262. ELECTROLUX USA, INC., individually and as successor to American Yard Products, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. ELECTROLUX USA, INC. may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2P. EXMARK MANUFACTURING COMPANY INC. is a Nebraska corporation with its principal place of business at 2101 Ashland Avenue, Beatrice, NE 68310. EXMARK MANUFACTURING COMPANY INC. has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. EXMARK MANUFACTURING COMPANY INC. may be served through its registered agent, National Registered Agents, Inc., 5601 South 59th Street, Lincoln, NE 68516.

2Q. FEDERAL-MOGUL ASBESTOS PERSONAL INJURY TRUST, as successor to Felt Products Manufacturing Co., is a Delaware statutory trust. FEDERAL-MOGUL ASBESTOS PERSONAL INJURY TRUST, as successor to Felt Products Manufacturing Co., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. FEDERAL-MOGUL ASBESTOS PERSONAL INJURY TRUST may be served through its registered agent, Wilmington Trust Company, Rodney Square North, 1100 North Market Street, Wilmington, DE 19890.

2R. FMC CORPORATION, individually and as successor to Bolens, is a Delaware corporation with its principal place of business at 2929 Walnut Street, Philadelphia, PA 19104. FMC CORPORATION, individually and as successor to Bolens, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. FMC CORPORATION may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2S. GARDNER-CONNELL LLC, individually and as successor to W. J. Connell Co., Atlantic Power, Inc. and Atlantic Power Equipment, Inc. is an Ohio limited liability company with its principal place of business at 3641 Interchange Road, Columbus, OH 43204. GARDNER-CONNELL LLC, individually and as successor to W. J. Connell Co., Atlantic

Power, Inc. and Atlantic Power Equipment, Inc. has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. GARDNER-CONNELL LLC may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2T. GARDNER INC., individually and as successor to W. J. Connell Co., Atlantic Power, Inc., and Atlantic Power Equipment Inc., is an Ohio corporation with its principal place of business at 3641 Interchange Road, Columbus, OH 43204. GARDNER INC., individually and as successor to W. J. Connell Co., Atlantic Power, Inc. and Atlantic Power Equipment, Inc. has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. GARDNER INC. may be served through its registered agent, Acme Agent, Inc., 41 South High Street, Suite 2800, Columbus, OH 43215.

2U. GENERAL ELECTRIC COMPANY, individually and as successor to George D. Roper Co., is a New York corporation with its principal place of business at 41 Farnsworth Street, Boston, MA 02210. GENERAL ELECTRIC COMPANY, individually and as successor to George D. Roper Co., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. GENERAL ELECTRIC COMPANY may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2V. GENUINE PARTS CO. is a Georgia corporation with its principal place of business at 2999 Wildwood Parkway, Atlanta, GA 30339. GENUINE PARTS CO. has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. GENUINE PARTS CO. may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2W. HAHN INC., individually and as successor to Eclipse Lawn Mower Co., Kearney-National Inc., Gardex Corp. and Air Rake Mfg. Corp., is an Indiana corporation with its principal place of business at 1625 North Garvin Street, Evansville, IN 47711. HAHN INC., individually and as successor to Eclipse Lawn Mower Co., Kearney-National Inc., Gardex Corp. and Air Rake Mfg. Corp., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. HAHN INC. may be served through its registered agent, Kenneth Hahn, 1625 North Garvin Street, Evansville, IN 47711.

2X. HONEYWELL INTERNATIONAL INC., f/k/a AlliedSignal Inc., as successor to The Bendix Corporation, is a Delaware corporation with its principal place of business at 115 Tabor Road, Morris Plains, NJ 07950. HONEYWELL INTERNATIONAL INC., f/k/a AlliedSignal Inc., as successor to The Bendix Corporation, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. HONEYWELL INTERNATIONAL INC. may be served through its registered agent, Corporation Service Company, 84 State Street, Boston, MA 02109.

2Y. HUSQVARNA CONSUMER OUTDOOR PRODUCTS N.A., INC., individually and as successor to American Yard Products, George D. Roper Co. and Peerless Gear, is a Delaware corporation with its principal place of business at 9335 Harris Corners Parkway, Suite 500, Charlotte, NC 28269. HUSQVARNA CONSUMER OUTDOOR PRODUCTS N.A., INC., individually and as successor to American Yard Products, George D. Roper Co. and Peerless Gear, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. HUSQVARNA CONSUMER OUTDOOR PRODUCTS N.A., INC. may be served through its registered agent, Cogency Global Inc., 850 New Burton Road, Suite 201, Dover, DE 19904.

2Z. HUSQVARNA PROFESSIONAL PRODUCTS, INC., individually and as successor to Tecumseh Products Co. and Peerless Gear, is a Delaware corporation with its principal place of business at 9335 Harris Corners Parkway, Suite 500, Charlotte, NC 28269. HUSQVARNA PROFESSIONAL PRODUCTS, INC., individually and as successor to Tecumseh Products Co. and Peerless Gear, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. HUSQVARNA PROFESSIONAL PRODUCTS, INC. may be served through its registered agent, Cogency Global Inc., 44 School Street, Suite 325, Boston, MA 02108.

2AA. INGERSOLL-RAND COMPANY is a New Jersey corporation with its principal place of business at 800-E Beaty Street, Davidson, NC 28036. INGERSOLL-RAND COMPANY has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. INGERSOLL-RAND COMPANY may be served through its registered agent, Corporation Service Company, 84 State Street, Boston, MA 02109.

2BB. KEARNEY-NATIONAL INC., individually and as successor to Hahn Inc. and Eclipse Lawn Mower Co., is a Delaware corporation with its principal place of business at 565 Fifth Avenue, 4th Floor, New York, NY 10017. KEARNEY-NATIONAL INC., individually and as successor to Hahn Inc. and Eclipse Lawn Mower Co., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. KEARNEY-NATIONAL INC. may be served through its registered agent, The Prentice-Hall Corporation System, Inc., 251 Little Falls Drive, Wilmington, DE 19808.

2CC. KOHLER CO. is a Wisconsin corporation with its principal place of business at 444 Highland Drive, Kohler, WI 53044. KOHLER CO. has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. KOHLER CO. may be served

through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2DD. KOKI HOLDINGS AMERICA LTD., individually and as successor to Tanaka, is a Delaware corporation with its principal place of business at 1111 Broadway Avenue, Braselton, GA 30517. KOKI HOLDINGS AMERICA LTD., individually and as successor to Tanaka, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. KOKI HOLDINGS AMERICA LTD. may be served through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

2EE. MCCORD CORP. is a Michigan corporation with its principal place of business at 40 Westminster Street, Providence, RI 02903. MCCORD CORP. has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. MCCORD CORP. may be served through its registered agent, The Corporation Company, 30600 Telegraph Road, Bingham Farms, MI 48025.

2FF. MTD PRODUCTS COMPANY, f/k/a Modern Tool and Die Company, individually and as successor to Troy-Bilt and Bolens, is an Ohio corporation with its principal place of business at 5903 Grafton Road, Valley City, OH 44280. MTD PRODUCTS COMPANY, f/k/a Modern Tool & Die Co., individually and as successor to Troy-Bilt and Bolens, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. MTD PRODUCTS COMPANY may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2GG. NATIONAL AUTOMOTIVE PARTS ASSOCIATION, a/k/a NAPA Auto Parts, is a Michigan corporation with its principal place of business at 2999 Wildwood Parkway,

Atlanta, GA 30339. NATIONAL AUTOMOTIVE PARTS ASSOCIATION, a/k/a NAPA Auto Parts, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. NATIONAL AUTOMOTIVE PARTS ASSOCIATION may be served through its registered agent, CT Corporation System, 112 North Main Street, Cumming, GA 30040.

2HH. PLATINUM EQUITY, LLC, d/b/a Tecumseh Power, individually and as successor to Tecumseh Products Co., is a Delaware limited liability company with its principal place of business at 360 North Crescent Drive, South Building, Beverly Hills, CA 90210. PLATINUM EQUITY, LLC, d/b/a Tecumseh Power, individually and as successor to Tecumseh Products Co., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. PLATINUM EQUITY, LLC may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2II. PNEUMO ABEX LLC, individually and as successor to Abex Corporation, is a Delaware limited liability company with its principal place of business at Third Street & Jefferson Avenue, Camden, NJ 08104. PNEUMO ABEX LLC, individually and as successor to Abex Corporation, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. PNEUMO ABEX LLC may be served through its registered agent, Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

2JJ. SCHILLER GROUNDS CARE, INC., individually and as successor to Steiner Co., is a Pennsylvania corporation with its principal place of business at 1028 Street Road, Southampton, PA 18966. SCHILLER GROUNDS CARE, INC., individually and as successor to Steiner Co., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts.

2KK. SEARS HOLDINGS MANAGEMENT CORP., d/b/a Craftsman, is a Delaware corporation with its principal place of business at 3333 Beverly Road, Hoffman Estates, IL 60179. SEARS HOLDINGS MANAGEMENT CORP., d/b/a Craftsman, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. SEARS HOLDINGS MANAGEMENT CORP. may be served through its registered agent, C.T. Corporation System, 208 South Lasalle Street, Suite 814, Chicago, IL 60604.

2LL. SEARS, ROEBUCK AND CO., d/b/a Craftsman, is a New York corporation with its principal place of business at 3333 Beverly Road, Hoffman Estates, IL 60179. SEARS, ROEBUCK AND CO., d/b/a Craftsman, has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. SEARS, ROEBUCK AND CO. may be served through its registered agent, C.T. Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110.

2MM. STANLEY BLACK & DECKER, INC., individually and as successor to Marion-Craftsman Tool Co., is a Connecticut corporation with its principal place of business at 1000 Stanley Drive, New Britain, CT 06053. STANLEY BLACK & DECKER, INC., individually and as successor to Marion-Craftsman Tool Co., has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. STANLEY BLACK & DECKER, INC. may be served through its registered agent, Corporation Service Company, 84 State Street, Boston, MA 02109.

2NN. TECUMSEH PRODUCTS COMPANY LLC, f/k/a Tecumseh Products Co., is a Michigan limited liability company with its principal place of business at 5683 Hines Drive, Ann Arbor, MI 48108. TECUMSEH PRODUCTS COMPANY LLC, f/k/a Tecumseh Products Co., has conducted business in and derived substantial revenue from the Commonwealth of

Massachusetts. TECUMSEH PRODUCTS COMPANY LLC may be served through its registered agent, The Corporation Company, 40600 Ann Arbor Road East, Suite 201, Plymouth, MI 48170.

200. THE TORO COMPANY, individually and as successor to Evinrude Motors, Outboard Marine Corporation, Lawn-Boy and Lawn-Boy Distributors Inc. of New England, is a Delaware corporation with its principal place of business at 8111 Lyndale Avenue South, Minneapolis, MN 55420. THE TORO COMPANY, individually and as successor to Evinrude Motors, Outboard Marine Corporation, Lawn-Boy, and Lawn-Boy Distributor Inc. of New England has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. THE TORO COMPANY may be served through its registered agent, Timothy P. Dordell, 8111 Lyndale Avenue South, Minneapolis, MN 55420.

2PP. TEC INTERNATIONAL GP LLC, individually and as successor to and/or Parent or General Partner to Bluebird Turf Products, LLLP is a Michigan corporation with its principal place of business at 68 S. Squirrel Road, Auburn Hills, MI 48326. TEC INTERNATIONAL GP LLC, individually and as successor to and/or Parent or General Partner to Bluebird Turf Products, LLLP has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. TEC INTERNATIONAL GP, LLC may be serve through its registered agent, Anthony J. Carmen Jr., 68 S. Squirrel Road, Auburn Hills, MI 48326.

2QQ. TURF PRODUCTS, LLC, individually and as successor to Turf Products Corp. of Mass. and Turf Products Corporation is a Connecticut corporation with its principal place of business at 157 Moody Road, Enfield, CT 06082. TURF PRODUCTS, LLC, individually and as successor to Turf Products Corp. of Mass. and Turf Products Corporation has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. TURF

PRODUCTS, LLC may be served through its registered agent, Corporation Service Company, 84 State Street, Boston, MA 02109.

2RR. WISCONSIN ENGINES LLC is a Tennessee limited liability company with its principal place of business at 10 Industrial Drive, Dyer, TN 38330. WISCONSIN ENGINES LLC has conducted business in and derived substantial revenue from the Commonwealth of Massachusetts. WISCONSIN ENGINES LLC may be served through its registered agent, Gerald Schaefer, 10 Industrial Drive, Dyer, TN 38330.

2SS. W. J. CONNELL CO. is a Massachusetts corporation with its principal place of business at 2 Hampshire Street, Suite 110, Foxboro, MA 02035. W. J. CONNELL CO. may be served through its registered agent, Mr. William J. Shamon, Jr., 2 Hampshire Street, Suite 110, Foxboro, MA 02035.

As used in this Complaint, the terms “defendant,” “defendants” or “defendant corporations” shall include the party defendants identified in paragraphs 2A-2SS hereof, and their predecessors and successors, which shall include, but shall not be limited to, any person, corporation, company or business entity which formed part of any combination, consolidation, merger or reorganization from which any party defendant was created or was the surviving corporation or other entity, or into which any party defendant was merged, consolidated or reorganized; whose assets, stock, property, employees, customers, good will, products or product line was acquired by or from any party defendant; whose patent rights, trademark rights, trade secrets or goodwill was acquired by or from any party defendant; or, which was dominated or controlled by any party defendant to such an extent that said party defendant was the “alter ego” of said corporation.

3. The plaintiff's cause of action arises from the defendants: (a) transacting business in Massachusetts; (b) contracting to supply and/or sell goods in Massachusetts; (c) doing or causing a tortious act to be done within Massachusetts; and/or, (d) causing the consequence of a tortious act to occur within Massachusetts.

FACTUAL BACKGROUND

4. The asbestos and asbestos-containing products to which Plaintiff's Decedent Billy D. Main was exposed were manufactured, fabricated, contracted, installed, supplied, distributed, sold, specified, required, recommended, and/or incorporated for use by the defendant corporations, acting through their duly authorized agents, servants, and employees, who were then and there acting in the course and scope of their employment and in furtherance of the business of the defendants.

5. At all times pertinent hereto, the defendant corporations were engaged in the business of manufacturing, fabricating, contracting, installing, supplying, distributing, selling, specifying, requiring, recommending, and/or using asbestos and asbestos-containing products.

6. At all times pertinent hereto, the asbestos products were products manufactured, fabricated, contracted, installed, supplied, distributed, sold, specified, required, recommended, and/or incorporated for use by the defendant corporations and reached Plaintiff's Decedent Billy D. Main without any substantial change in the condition of the product or products from the time that they were sold.

7. Plaintiff's Decedent Billy D. Main was exposed to asbestos and asbestos-containing products while working at various residential and commercial sites in the Commonwealth of Massachusetts and elsewhere. These asbestos products were designed, advertised, marketed, and sold as being appropriate for the use that Plaintiff's Decedent engaged

in. It was foreseeable defendants' asbestos-containing products would be sold for installation at these sites and that they would be fabricated and used at these sites. Plaintiff's Decedent Billy D. Main worked at these sites performing tasks and activities normally done in the course of his trade or otherwise as intended and was thereby exposed to defendants' asbestos-containing products. The asbestos products installed became an appurtenance and/or integral part of these sites.

8. From in or about 1978 until approximately 2003, Plaintiff's Decedent Billy D. Main was exposed to defendants' asbestos and asbestos-containing products while working as a lawn mower repairman and mechanic in Massachusetts.

9. During the period of time set forth in Paragraph 8, Plaintiff's Decedent Billy D. Main was exposed to and did inhale and/or ingest asbestos dust, fibers and particles, which dust, fibers, and particles came from the asbestos or asbestos-containing products which were manufactured, fabricated, supplied, sold, distributed, installed, specified, required, recommended, and/or used by the defendant corporations.

10. As a direct and proximate result of working with, around, and/or near asbestos materials manufactured, designed, tested, packaged, furnished, sold, supplied, distributed, delivered, installed, specified, required, recommended, and/or otherwise placed in the stream of commerce by the defendants, Plaintiff's Decedent Billy D. Main developed malignant mesothelioma, an asbestos-related injury. He suffered serious personal injuries, endured great pain of body and mind, suffered severe mental anguish and distress, was prevented from transacting his business, was required to undergo medical treatment, care and expense, and was killed. Further, his spouse and next of kin incurred funeral and burial expenses and were

deprived of his service, protection, care, assistance, society, companionship, comfort, affection, guidance, counsel and advice.

COUNT I

NEGLIGENCE

(CONSCIOUS PAIN AND SUFFERING)

11. The plaintiff incorporates by reference paragraphs 1 through 10 above as if expressly alleged and set forth herein.

12. It was the duty of the defendant corporations to use and exercise reasonable and due care in the mining, manufacture, fabrication, testing, inspection, production, marketing, packaging, installation, and sale of their asbestos and asbestos-containing products.

13. It was the duty of the defendant corporations to provide detailed and adequate instructions relative to the proper and safe handling and use of their asbestos and asbestos-containing products, and to provide detailed and adequate warnings concerning any and all dangers, characteristics, and potentialities of their asbestos and asbestos-containing products.

14. It was the continuing duty of the defendant corporations to advise and warn purchasers, consumers, users, and prior purchasers, prior consumers, and prior users of all dangers, characteristics, potentialities and defects discovered subsequent to their initial marketing or sale of their asbestos and asbestos-containing products.

15. Yet, nevertheless, wholly disregarding the aforesaid duties, the defendant corporations breached their duties by: (a) failing to warn Plaintiff's Decedent Billy D. Main of the dangers, characteristics, and potentialities of their asbestos-containing products when the defendant corporations knew or should have known that exposure to their asbestos-containing products would cause disease and injury; (b) failing to warn Plaintiff's Decedent Billy D. Main

of the dangers to which he was exposed when they knew or should have known of the dangers; (c) failing to exercise reasonable care to warn Plaintiff's Decedent Billy D. Main of what would be safe, sufficient, and proper protective clothing, equipment, and appliances when working with or near or being exposed to their asbestos and asbestos-containing products; (d) failing to provide safe, sufficient and proper protective clothing, equipment and appliances with their asbestos and asbestos-containing products; (e) failing to test their asbestos and asbestos-containing products in order to ascertain the extent of danger involved upon exposure thereto; (f) failing to conduct such research as should have been conducted in the exercise of reasonable care, in order to ascertain the dangers involved upon exposure to their asbestos and asbestos-containing products; (g) failing to remove the product or products from the market when the defendant corporations knew or should have known of the hazards of exposure to their asbestos and asbestos-containing products; (h) failing upon discovery of the dangers, hazards, and potentialities of exposure to asbestos to adequately warn and apprise Plaintiff's Decedent Billy D. Main of said dangers, hazards, and potentialities discovered; (i) failing upon discovery of the dangers, hazards, and potentialities of exposure to asbestos to package said asbestos and asbestos-containing products so as to eliminate said dangers, hazards, and potentialities; and (j) generally using unreasonable, careless, and negligent conduct in the manufacture, fabrication, installation, supply, distribution, sale, and/or use of their asbestos and asbestos-containing products.

16. As a direct and proximate result of the unreasonable, careless, and negligent conduct of the defendant corporations, Plaintiff's Decedent Billy D. Main developed malignant mesothelioma, an asbestos-related injury. He suffered serious personal injuries, endured great pain of body and mind, suffered severe mental anguish and distress, was prevented from transacting his business, was required to undergo significant medical treatment, care and

expense, and was killed. Further, his spouse and next of kin incurred funeral and burial expenses and were deprived of his services, protection, care, assistance, society, companionship, comfort, affection, guidance, counsel and advice.

17. The defendants knew, or with the reasonable exercise of care, should have known of the dangerous characteristics, properties, and potentialities of asbestos and asbestos-containing products.

WHEREFORE, plaintiff demands judgment against the defendants for a reasonable amount plus statutory interest and costs and for such other relief as shall be appropriate.

COUNT II

BREACH OF EXPRESS AND IMPLIED WARRANTIES

18. The plaintiff incorporates by reference paragraphs 1 through 17 above as if expressly alleged and set forth herein.

19. Plaintiff's Decedent Billy D. Main was a person whom the defendants could reasonably have expected to use, consume, or be affected by the defendants' asbestos and asbestos-containing products within the meaning of Massachusetts General Laws ch. 106, §§ 2-314 and 2-318, as the defendants knew or had reason to know that their asbestos and asbestos-containing products would be used in the industry and that individuals such as Plaintiff's Decedent Billy D. Main would come in contact with such asbestos materials.

20. The defendants expressly and impliedly warranted that the asbestos and asbestos-containing products described above were merchantable, safe, and fit for their ordinary purposes, and the particular purposes and requirements of Plaintiff's Decedent Billy D. Main.

21. The defendants had reason to know of the particular purposes for which their asbestos and asbestos-containing products would be used.

22. Plaintiff's Decedent Billy D. Main relied upon the defendants' skill or judgment in selecting suitable products for safe use.

23. The defendants breached these warranties, in that the asbestos and asbestos-containing products they sold were not merchantable, safe, suitable, or fit for their ordinary or particular purposes.

24. As a direct and proximate result of the defendants' breach of warranties, Plaintiff's Decedent Billy D. Main contracted malignant mesothelioma, an asbestos-related injury. Plaintiff's Decedent Billy D. Main suffered serious personal injuries, endured great physical pain and suffering, suffered from severe mental anguish and distress, was prevented from transacting his business, and was killed. Further, his spouse and next of kin incurred funeral and burial expenses and were deprived of his services, protection, care, assistance, society, companionship, comfort, affection, guidance, counsel and advice.

WHEREFORE, plaintiff demands judgment against the defendants for a reasonable amount plus statutory interest and costs and for such other relief as shall be appropriate.

COUNT III

NEGLIGENCE

(WRONGFUL DEATH)

25. The plaintiff incorporates by reference paragraphs 1 through 24 above as if expressly alleged and set forth herein.

26. As a direct and proximate result of the unreasonable, careless and negligent conduct of the defendant corporations, the spouse and next of kin of Plaintiff's Decedent Billy D. Main incurred funeral and burial expenses and were deprived of his care, comfort, society, companionship, advice, assistance, services, protection, counsel and advice.

27. This count for death is brought by the representative of the estate for use of the next of kin of the decedent.

WHEREFORE, plaintiff demands judgment against the defendants for a reasonable amount plus statutory interest and costs and for such other relief as shall appropriate.

COUNT IV

PUNITIVE DAMAGES

28. The plaintiff incorporates by reference paragraphs 1 through 27 above as if expressly alleged and set forth herein.

29. As early as 1929, the defendants, or some of them, possessed medical and scientific data clearly indicating that asbestos and asbestos-containing products were hazardous to the health and safety of Plaintiff's Decedent Billy D. Main and others in his position.

30. The defendants, or some of them, during the 1930s, 1940s, 1950s and 1960s, became possessed of voluminous medical and scientific data, studies, and reports, which information conclusively established that asbestos and asbestos-containing products were hazardous to the health and safety of Plaintiff's Decedent Billy D. Main and all other persons exposed to their products.

31. The defendants, or some of them, since the 1930s have had numerous workers' compensation claims filed against them by former asbestos workers or employees, or knew such claims were filed against asbestos product suppliers and manufacturers.

32. Prompted by pecuniary motives, the defendants ignored and failed to act upon such medical and scientific data and conspired to deprive the public, and particularly the users, from access to said medical and scientific data, thereby depriving them of the free choice as to

whether or not to expose themselves to the asbestos and asbestos-containing products of the defendants.

33. The defendants acted maliciously, willfully, wantonly, and recklessly, or with gross negligence, by continuing to market their asbestos products, with reckless disregard for the health and safety of Plaintiff's Decedent Billy D. Main and other users or consumers, knowing the dangerous characteristics and propensities of said asbestos products, but still depriving those affected by the dangers from information about those dangers.

34. Because the defendants acted maliciously, willfully, wantonly, and recklessly, or with gross negligence in marketing their hazardous asbestos or asbestos-containing products, in ignoring the medical and scientific data which was available to them, and depriving consumers, users and the general public from that medical and scientific data, the plaintiffs are entitled to punitive damages.

WHEREFORE, plaintiff demands judgment against the defendants for punitive damages pursuant to Mass. Gen. Laws ch. 229, § 2.

COUNT V

LOSS OF CONSORTIUM

35. The plaintiff incorporates by reference paragraphs 1 through 34 above as if expressly alleged and set forth herein.

36. Patricia A. Main is the surviving spouse of Plaintiff's Decedent Billy D. Main and, at all pertinent times, was his wife.

37. As a direct and proximate result of the breach of duty and wrongdoing of the defendants and the resultant injury to Plaintiff's Decedent Billy D. Main, as more particularly described in the preceding Counts, Plaintiff Patricia A. Main has suffered a loss of her right to

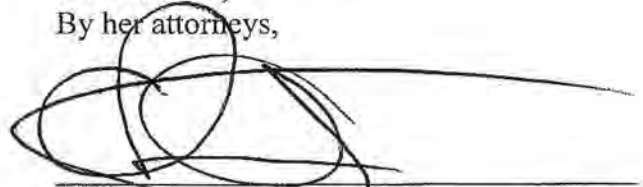
consortium with her husband and the loss of her husband's services, guidance, affection, comfort, protection, society, counsel, advice, and companionship, and she has suffered great mental anguish.

WHEREFORE, plaintiff demands judgment against the defendants for a reasonable amount plus statutory interest and costs and for such other relief as shall be appropriate.

DEMAND FOR TRIAL BY JURY

The plaintiff hereby demands a trial by jury on each claim asserted or hereafter asserted by the plaintiff and on each defense asserted or hereafter asserted by the defendants.

Respectfully submitted,
The Plaintiff,
By her attorneys,



Dated: November 18, 2019

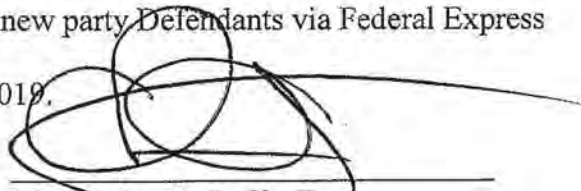
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¹ Admission *pro hac vice* pending.

CERTIFICATE OF SERVICE

I, Christopher P. Duffy, Esq., hereby certify that I served a true and correct copy of the attached document, Plaintiff's Third Amended Complaint, upon all counsel of record, electronically via File & Serve*Xpress*, and upon all new party Defendants via Federal Express overnight delivery, on this 18th day of November, 2019.



Christopher P. Duffy, Esq.