

STATE OF NEW YORK
SUPREME COURT COUNTY OF TOMPKINS

CHAD E. KAISER,

Plaintiff,

v.

AVCO CORPORATION; AGCO CORPORATION;
THE PAUL REVERE CORPORATION; TEXTRON,
INC.; ALLIED PRODUCTS CORPORATION; NEW
IDEA CORPORATION; and ABC CORPORATIONS,
1-5 (Fictitious Names for Unknown Companies),

Defendants.

Index No.:

SUMMONS

Plaintiff designates Tompkins
County as the place of trial. The
basis of venue is Plaintiff's
residence.

Plaintiff's Address:
64 Prott's Hill Road
Newfield, New York 14867
Tompkins County

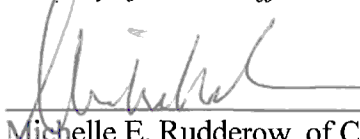
TO THE ABOVE NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance, on Plaintiff's Attorney within twenty (20) days after the service of this Summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

DATED: September 23, 2020

PORTER NORDBY HOWE LLP
Attorneys for Plaintiff

By:


Michelle E. Rudderow, of Counsel

Office & P.O. Address
125 East Jefferson Street, 11th Floor
Syracuse, New York 13202-2550
315.477.9900
315.477.9923 (facsimile)

FAX SERVICE NOT ACCEPTED

Defendants' Addresses:

AVCO Corporation
c/o CT Corporation System
28 Liberty Street
New York, New York 10005

AGCO Corporation
c/o Corporation Service Company
80 State Street
Albany, New York 12207

The Paul Revere Corporation
101 Federal Street
Boston, Massachusetts 02110

Textron, Inc.
10 Weybosset Street,
Providence, Rhode Island 02903

Allied Products Corporation
33 North LaSalle Street
Chicago, Illinois 60602

New Idea Corporation
123 West Sycamore Street
Coldwater, Ohio 45828

ABC CORP. 1-5

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(Fictitious Names for Unknown Companies),

Index No.:

Defendants.

VERIFIED COMPLAINT

Plaintiff Chad E. Kaiser (“Plaintiff”), by and through his attorneys, Porter Nordby Howe LLP, complaining of the above-named defendants herein (collectively, “Defendants”), hereby states and alleges, upon information and belief, as follows:

PARTIES

1. Plaintiff is an individual who resides in the County of Tompkins, State of New York.
2. Defendant AVCO Corporation (“Defendant AVCO”) is a foreign business corporation registered in the State of Delaware, with a principal executive office located at 40 Westminster Street, Providence, Rhode Island, 02903 and a registered agent located at CT Corporation System, 28 Liberty Street, New York, New York 10005.
3. Defendant AGCO Corporation (“Defendant AGCO”) is a foreign business corporation registered in the State of Delaware, with a principal executive office located at 4205 River Green Parkway, Duluth, Georgia, and a registered agent located at Corporation Service

4. Defendant The Paul Revere Corporation (“Defendant Paul Revere”) is a foreign business corporation registered in the State of Delaware, with a registered agent located at 101 Federal Street, Boston, MA 02110.

5. Defendant Textron, INC. (“Defendant Textron”) is a foreign business corporation registered in the State of Delaware with a registered agent located at 10 Weybosset Street, Providence, Rhode Island 02903.

6. Defendant Allied Products Corporation (“Defendant Allied”) is a foreign business corporation registered in the State of Delaware with a registered agent located at 33 North LaSalle Street, Chicago, IL 60602.

7. Defendant New Idea Corporation (“Defendant New Idea”) is a Delaware corporation with its last known principal place of business located at 123 West Sycamore Street, Coldwater, Ohio 45828, with an office located at 5500 Paxton Street, Harrisburg, Pennsylvania 17111.

8. Defendant New Idea is a division of Defendant Allied.

9. Defendant ABC Corporations 1-5 (“Defendants ABC”) are fictitious, their identities are presently unknown to Plaintiff and his counsel, and they are named as Defendants to designate unknown entities that acquired or merged with one or more of the above-named Defendant(s) and may have assumed all liabilities of said Defendant(s).

10. The New Idea Model 326 (Serial No. 227-537) Husking Unit and/or Corn Picker (“Subject Corn Picker”) that is the subject of this action was designed, manufactured, sold, marketed, tested, inspected, distributed or otherwise by Defendants AVCO, AGCO, Paul Revere, Textron, Allied, New Idea and/or ABC.

11. The Subject Corn Picker was designed, manufactured, tested, inspected, distributed, marketed, and/or sold in the ordinary course of business by Defendant AVCO or, alternatively, by Defendant Paul Revere.

12. In or around 1977, Defendant Paul Revere purchased the assets of Defendant AVCO and/or Defendant New Idea, and assumed all liabilities for products manufactured, assembled, distributed, and sold by Defendant AVCO, including the Subject Corn Picker.

13. In or around 1984, the assets of Defendant AVCO and/or Defendant New Idea previously purchased by Defendant Paul Revere were sold to Defendant New Idea.

14. Defendant New Idea and/or Defendant Allied were successor corporations to Defendant Paul Revere or assumed all liabilities of Defendant Paul Revere, including its liability for, or arising out of, the design, manufacture, assembly, distribution, and sale of the described Subject Corn Picker.

15. Defendant Paul Revere was subsequently dissolved or merged with Defendant AVCO, a wholly owned subsidiary of Defendant Textron.

16. Defendant AVCO and/or Textron are the successor corporations to Defendant Paul Revere or have assumed all liabilities of Defendant Paul Revere, including its liability for or arising out of the design, manufacture, testing, inspection, distribution, marketing, or sale of the Subject Corn Picker.

17. In or around 1993, Defendant AGCO purchased the assets of Defendants New Idea, and Defendant AGCO is the successor corporation to Defendant Paul Revere or has assumed all liabilities of Defendant Paul Revere, including its liability for, or arising out of, the design, manufacture, testing, inspection, distribution, marketing, or sale of the Subject Corn Picker.

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