# Banner & Witcoff obtains dismissal in a declaratory judgment action on behalf of Kimberly-Clark Worldwide.

August 4, 2008

Banner & Witcoff, Ltd. is pleased to announce that the U.S. District Court Southern District of New York has dismissed the declaratory judgment action brought against client Kimberly-Clark Worldwide in Arquest, Inc. v. Kimberly-Clark Worldwide.

After an evidentiary hearing, the Court concluded that it lacked personal jurisdiction over our client, the defendant, Kimberly-Clark Worldwide. The Court found that even though at least one of the defendant's related corporate entities was active and present in New York, this did not result in the defendant being present in, or subject to personal jurisdiction in New York. The court therefore dismissed the case against Kimberly-Clark Worldwide.

Banner & Witcoff's legal team representing Kimberly-Clark Worldwide included Marc S. Cooperman, Janice V. Mitrius and Thomas J. Lerdal.

Please click here for a copy of the decision.

**Posted: August 4, 2008**