

LYNCH ♦ MARTIN ♦ KROLL  
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ATTORNEYS FOR PLAINTIFFS

**FILED**

JAN 08 2002

JUDGE MARINA CORODEMUS

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
Docket No. L-2093-01  
Docket No. L-2521-01  
Docket No. L-1669-01

SUSANA ARENT, et al.,

Plaintiffs,

-vs.-

CIBA-GEIGY CORPORATION, et al.,

Defendants.

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MARGO KRAMER, et al.,

Plaintiffs,

-vs.-

CIBA-GEIGY CORPORATION, et al.,

Defendants.

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KATHLEEN JANES, et al.,

Civil Actions

CASE MANAGEMENT ORDER VII

This matter having come before the Court on December 13, 2001, for a case management conference, and for good cause it is ORDERED that,

1. The *Kramer* plaintiffs shall produce by December 21, 2001 on CD(s), those documents copied by them from the Ciba productions thus far. The CD(s) shall identify the date of production through which each CD is current.
2. On or before December 18, 2001, the Ciba defendants shall submit their request for a recommendation ordering that the documents copied by the *Janes* plaintiffs during the Ciba productions be provided on CD to the Ciba defendants. The *Janes* plaintiffs shall file their opposition thereto on or before December 21, 2001.
3. The Ciba defendants shall, on December 17, 2001, commence transfer of the microfilm to Pitney Bowes, the vendor for *Janes*' counsel.
4. The Ciba defendants shall respond to one half of all of the Interrogatories propounded by the *Janes* plaintiffs on or before December 31, 2001. The Ciba defendants shall respond to the remaining Interrogatories on or before January 13, 2002.
5. To the extent possible, fact witnesses shall be produced for deposition one time, subject to a request to return for good cause shown. Each deposition shall continue until completed. Counsel shall, when noticing the deposition of fact witnesses, set

Jordan, produced by the Ciba defendants as the person most knowledgeable regarding Ciba's document production/ efforts.

7. Plaintiffs may submit a letter request to Judge Guccio (with a copy to Judge Corodemus) for the appointment of an expert to review the Access database described by Dayna Jordan, of which plaintiffs have requested production.
8. The first time a document is used at a deposition, counsel shall provide a copy of the document to a representative of each party.
9. The documents used at Bobsein's deposition, excluding the Grand Jury exhibits, will be produced by *Kramer* counsel within seven (7) days of receipt of an identification of the exhibits counsel have not yet received.
10. The defendants may issue subpoenas regarding the medical records of *Kramer* plaintiffs and will place plaintiffs on notice of same.
11. The Ciba defendants' reply, if any, to plaintiffs' opposition to the request for a recommendation ordering certain *Janes* plaintiffs to answer questions objected to on the basis of privilege and to continue their depositions shall be served by December 17, 2001.
12. The *Janes* plaintiffs' motion to remove the Nide class representatives shall be filed by December 20, 2001 before Judge Corodemus (with a copy to Judge Guccio). The

14. The bellweather selection procedure shall be resolved by the parties and memorialized via correspondence to Judge Gruccio.
15. The Kramer plaintiffs may file their motion to amend their complaint(s).
16. Discovery related motions may be filed with Judge Gruccio including, but not limited to: motions relating to contention interrogatories; additional individuals knowledgeable regarding the document production efforts of the Ciba defendants; overdue responses to discovery and the conduct of the document production.
17. The *Kramer* plaintiffs shall immediately make available approximately one half of the documents responsive to United Water's discovery requests. The remainder of the documents shall be reviewed for privilege and then produced to United Water for review.
18. The next Case Management Conference shall take place on January <sup>15<sup>th</sup></sup> 24, 2002 at 10:00 a.m. in the Middlesex Courthouse.

IT IS ORDERED that a copy of this Order be served on all counsel of record within 7

days hereof.

Dated 8<sup>th</sup> January, 2002

*Marina Corodemus*

Hon. Marina Corodemus, J.S.C.

14. The bellweather selection procedure shall be resolved by the parties and memorialized via correspondence to Judge Gruccio.
15. The Kramer plaintiffs may file their motion to amend their complaint(s).
16. Discovery related motions may be filed with Judge Gruccio including, but not limited to: motions relating to contention interrogatories; additional individuals knowledgeable regarding the document production efforts of the Ciba defendants; overdue responses to discovery and the conduct of the document production.
17. The Kramer plaintiffs shall immediately make available approximately one half of the documents responsive to United Water's discovery requests. The remainder of the documents shall be reviewed for privilege and then produced to United Water for review.
18. The next Case Management Conference shall take place on January 24, 2002 at 10:00 a.m. in the Middlesex Courthouse.

IT IS ORDERED that a copy of this Order be served on all counsel of record within \_\_\_\_\_ days hereof.

Dated \_\_\_\_\_, 2001

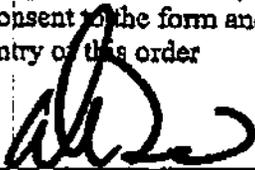
Hon. Marina Corodemus, J.S.C.

TOTAL P.02

DEC.14.2001 5:13PM ALLAN KANNER & ASSOC 5245245763

NO.953 P.7/7

On behalf of defendants  
CIBA-GEIGY Corporation,  
Nobartis Corporation and  
Ciba Specialty Chemicals  
Corporation, I hereby  
consent to the form and  
entry of this order



David W. Field.

Dated: December 18, 2001

On behalf of plaintiffs in the  
*Janes* case, I hereby consent  
to the form and entry of this  
Order

John E. Keefe, Jr.

Dated: December , 2001

On behalf of defendant United  
Water Company, I hereby consent  
to the form and entry of this Order

James A. Kosch

Dated: December , 2001

12/20/2001 THU 19:54 FAX 732 224 9494 LYNCH MARTIN KROLL

002/002

DEC.18.2001 6:34PM ALLAN KANNER & ASSOC 5045245763

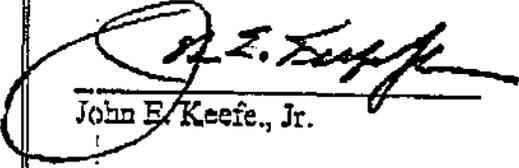
NO.003 P.7/7

On behalf of defendants  
CIBA-GEIGY Corporation,  
Nobartis Corporation and  
Ciba Specialty Chemicals  
Corporation, I hereby  
consent to the form and  
entry of this order

\_\_\_\_\_  
David W. Field

Dated: December , 2001

On behalf of plaintiffs in the  
*Janes* case, I hereby consent  
to the form and entry of this  
Order

  
\_\_\_\_\_  
John E. Keefe, Jr.

Dated: December <sup>20</sup>, 2001

On behalf of defendant United  
Water Company, I hereby consent  
to the form and entry of this Order

\_\_\_\_\_  
James A. Kosch

Dated: December , 2001

On behalf of defendants  
CIBA-GEIGY Corporation,  
Nobartis Corporation and  
Ciba Specialty Chemicals  
Corporation, I hereby  
consent to the form and  
entry of this order

Dated: December , 2001

\_\_\_\_\_  
David W. Field.

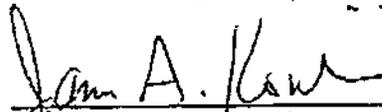
On behalf of plaintiffs in the  
James case, I hereby consent  
to the form and entry of this  
Order

Dated: December , 2001

\_\_\_\_\_  
John E. Keefe, Jr.

On behalf of defendant United  
Water Company, I hereby consent  
to the form and entry of this Order

Dated: December , 2001

  
\_\_\_\_\_  
James A. Kosch \*

\* consent with the understanding that

**ReedSmith**

Andrea A. Lipuma • 973.621.3204 • alipuma@reedsmith.com

December 19, 2001

**VIA FACSIMILE**

Elizabeth Cowen, Esq.  
Allan Kanner & Associates, P.C.  
701 Camp Street  
New Orleans, Louisiana 70130

**Re: *Toms River Litigation – Mass Tort Case Code 248***

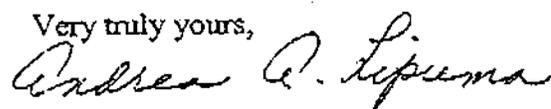
Dear Lilly:

I am writing to provide you with United Water Toms River Inc.'s comments to proposed Case Management Order VII. Please make the following changes to the Order:

1. The first motion listed in Paragraph 16 of the Order should not be reference as "relating to contention interrogatories". Instead, that provision should read "motions relating to United Water Toms River Inc.'s Interrogatories to Plaintiffs..."
2. The second sentence in paragraph 17 should stated that: "The remainder of the Kramer/Arent plaintiffs' documents shall be produced with two weeks of the date of this Order."

Please contact me if you have any questions. Thank you for your attention to this matter.

Very truly yours,



ANDREA A. LIPUMA

cc: All Counsel of Record (via telefax)