

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
ASBESTOS LITIGATION

Docket No: **L-2259-16 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

BRIAN & LEE BEER,	<i>Plaintiff(s),</i>
vs.	
AW CHESTERTON CO., et al	<i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on September 15 2016:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Lynne Kizis Philip Tortoreti	Plaintiff(s)
Caruso Smith	Alexandra Caruso	Union Carbide; CertainTeed
Dickie McCamey	William Smith	Conval
Hoagland Longo	Daniel Kuzmerski	Collins Packing
Lavin O'Neil	Donna Candelora	3M Co.
Leader & Berkon	Christine Bucca	IMO Industries
Littleton Joyce	Christine Delaney	McMaster-Carr
Maron Marvel	Timothy Coughlan	Velan Valve Corp.
Mayfiled Turner	Adam Fogarty	Riggs Distler
McCarter & English	Christopher Rojao	Fisher Scientific Co.
McElroy Deustch	Joseph D. Rasnek	Flowserve US Inc.; Allen Bradley; Pfizer
McGivney Kluger	Caitlin Christie	Atlas Welding Supply; Seaboard Welding Supply; New Jersey Boiler Repair: DAP; Flowserve; Nash Engineering
Pascarella DiVita		Crane; Crane Pumps
Rawle & Henderson	Jamie L. Augustinsky	Henkels & McCoy; Met Pro
Reilly Janiczek	Karen Stanzione Conte	Cleaver Brooks; Miller & Chitty
Ricci Tyrrell	Eric Paternack	Chicago Bridge & Iron
Vasios Kelly	David Badie	Armstrong International
Wilbraham Lawler	Tristin Fabro	Karnak; Air & Liquid Systems Corp.

IT IS on this 19th day of September, 2016, effective from the conference date;

ORDERED as follows:

Counsel receiving this Order through computerized electronic medium (E-Mail) shall be deemed by the court to have received a copy of the filed original court document. Any document served pursuant to this Order shall be deemed to be served by mail pursuant to R.1:5-2.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

- September 30, 2016 Defendants shall serve answers to standard interrogatories by this date.
- October 14, 2016 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- November 14, 2016 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- October 14, 2016 Defendants shall propound supplemental interrogatories and document requests by this date.
- November 14, 2016 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- November 30, 2016 Fact discovery, including depositions, shall be completed by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if all fact discovery is not completed.
- November 30, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- November 30, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- November 30, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- December 9, 2016 Summary judgment motions shall be filed no later than this date.
- January 6, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

- December 16, 2016 Plaintiff shall serve medical expert reports by this date.
- January 31, 2017 Defendants shall identify its medical experts and serve medical reports, if any, by this date. **In addition, defendants shall notify plaintiff's counsel (as well as all counsel of record) of a joinder in an expert medical defense by this date.**

LIABILITY EXPERT REPORTS

- December 16, 2016 Plaintiff shall identify its liability experts and serve liability expert reports or a certified expert statement by this date or waive any opportunity to rely on liability expert testimony.
- January 31, 2017 Defendants shall identify its liability experts and serve liability expert reports, if any, by this date or waive any opportunity to rely on liability expert testimony.

ECONOMIST EXPERT REPORTS

- December 16, 2016 Plaintiff shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.
- January 31, 2017 Defendants shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

EXPERT DEPOSITIONS

- February 15, 2017 Expert depositions shall be completed by this date. To the extent that plaintiff and defendant generic experts have been deposed before, the parties seeking that deposition in this case must file an application before the Special Master and demonstrate the necessity for that deposition. To the extent possible, documents requested in a deposition notice directed to an expert shall be produced three days in advance of the expert deposition. The expert shall not be required to produce documents that are readily accessible in the public domain.

PRE-TRIAL AND TRIAL

- January 20, 2017 @ 10:00am Settlement conference. All defense counsel shall appear with authority to negotiate settlement and have a representative authorized to negotiate settlement available by phone. Any request to be excused from the settlement conference shall be made to the Special Master no later than 4:00pm of the day prior to the conference.
- 10 business days prior to trial Pretrial Information Exchange Form due.
- February 27, 2017 **Trial-Ready** Date.

Plaintiff(s) counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Ana C. Viscomi
ANA C. VISCOMI, J.S.C.

cc: Clerk, Mass Tort