

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

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| JAMES & LILLIAN COLLAS,<br><br><i>Plaintiff(s),</i><br><br>vs.<br><br>3M COMPANY, et al<br><br><i>Defendant(s).</i> |
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Docket No: **L-7275-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on May 14, 2014:

| FIRM                    | ATTORNEY           | CLIENT                           |
|-------------------------|--------------------|----------------------------------|
| Cohen Placitella & Roth | William L. Kuzmin  | Plaintiff(s)                     |
| Breuninger & Fellman    | Kathleen Ramalho   | National Automotive Parts Assoc. |
| Caruso Smith            | Stacey Lee Trien   | CertainTeed; Union Carbide       |
| Eckert Seamans          | Elizabeth Weil     | Navistar                         |
| Goldfein & Joseph       | Madhurika Jeremiah | ACL                              |
| Hoagland Longo          | Katherine Blok     | Borg Warner                      |
| LeClair Ryan            | Robyn Kalocsay     | Ford Motor                       |
| Marks O'Neill           | Dennis Schmieder   | Caterpillar, Inc.                |
| Marshall Dennehey       | Lisa Only          | Pep Boys                         |
| McElroy Deutsch         | Joseph D. Rasnek   | Lipe                             |
| Rawle & Henderson       | Meredith Mack      | Mack Trucks; Hennessy            |

IT IS on this 15<sup>th</sup> day of May, 2014 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.

**DISCOVERY**

August 15, 2014 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.

August 15, 2014 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

July 17, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

August 22, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

September 12, 2014 Summary judgment motions shall be filed no later than this date.

October 10, 2014 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

July 31, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

August 29, 2014 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.

October 31, 2014 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.

### **EXPERT DEPOSITIONS**

November 14, 2014 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**

October 31, 2014 @ 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.

December 8, 2014 Trial Date. (*The July 28, 2014 trial is adjourned to this 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  
Brody Deposition Services  
Priority One