

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

Docket No: **L5203-11 (AS)**

ESTATE OF PATRICIA CORBIN,  <i>Plaintiff(s),</i>  vs.  JOHN DOE CORPS., et al  <i>Defendant(s).</i>
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Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on September 30, 2013:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Michael McMahon	Plaintiff(s)
Breuninger Fellman	Kathleen Romalho	Genuine Parts
Hawkins Parnell	Roy Viola	Abex
Hoagland Longo	Matthew D. Cassidy	Borg Warner

IT IS on this 7<sup>th</sup> day of **October, 2013** 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 plaintiffs' 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**

- |                  |  |
|------------------|--|
| October 18, 2013 | Defendants shall serve answers to standard interrogatories by this date.                           |
| November 1, 2013 | Plaintiff shall propound supplemental interrogatories and document requests by this date.          |
| December 2, 2013 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| November 1, 2013 | Defendants shall propound supplemental interrogatories and document requests by this date.         |

December 2, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

January 31, 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.

February 28, 2014 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

March 14, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

May 22, 2014 @ 10:00am Early **telephone** settlement conference. **Counsel shall contact the Special Master's Office the day before with the telephone number of the attorney handling the conference.**

### **SUMMARY JUDGMENT MOTION PRACTICE**

March 28, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.

April 25, 2014 Last return date for product identification summary judgment motions.

### **MEDICAL DEFENSE**

November 1, 2013 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

March 28, 2014 Plaintiff shall serve additional medical expert reports by this date.

March 28, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

June 23, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

May 23, 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.

June 23, 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**

July 18, 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**

July 10, 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.

July 28, 2014                                      Trial Date.

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

*/s/ Vincent Le Blon*  
VINCENT Le BLON, J.S.C.

cc:        Clerk, Mass Tort  
            Brody Deposition Services  
            Priority One