

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

ESTATE OF ANITA CREUTZBERGER,  <i>Plaintiff(s),</i>  vs.  ABEX CORPORATION, et al  <i>Defendant(s).</i>
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Docket No: **L-836-10 (AS)**

Civil Action

CASE MANAGEMENT ORDER VII

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 31, 2014:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Christopher Placitella	Plaintiff(s)
Gibbons	Ethan Stein	Honeywell
Harwood Lloyd	Michael Chipleo	Motion Control
Hawkins Parnell	Roy Viola	Pneumo Abex
Hoagland Longo	Marc Gaffrey / Jacob Grouser	Borg Warner
LeClair Ryan	Robyn Kalocsay	Ford
O'Toole Fernandez	Arthur Lash	Dana Companies
Wilbraham Lawler	John A. Fitzpatrick	Kelsey-Hayes / Maremont

IT IS on this **31<sup>st</sup>** day of **July, 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**

October 3, 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.

October 3, 2014 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

August 29, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

November 7, 2014 Summary judgment motions shall be filed no later than this date.

December 5, 2014 Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

September 30, 2014 Plaintiff shall serve medical expert reports by this date.

December 31, 2014 Defendants shall identify its medical experts and serve medical expert 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**

October 31, 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.

December 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.

## **ECONOMIST EXPERT REPORTS**

October 31, 2014 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.

December 31, 2014 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**

January 23, 2015 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 8, 2015 @ 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.

February 9, 2015

Trial 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