

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

Docket No: **L-2720-16 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

DANIEL & MARGARET HUGHES, <i>Plaintiff(s),</i>
vs.
3M COMPANY, 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 February 17, 2017:

FIRM	ATTORNEY	CLIENT
Locks Law Firm	Alfred Anthony	Plaintiff(s)
Caruso Smith	Marcia DePolo	CertainTeed; Union Carbide
Eckert Seamans	David Katzenstein	AO Smith
Gibbons PC	Ethan Stein	Honeywell International
Lavin O'Neil	Catherine Brunermer	3M Company
Lewis Brisbois	Kathleen Trabold	Henkel Corp.
Littleton Joyce	Christine Emery	BASF
Lynch Daskal	Troy P. Cunningham	Georgia Pacific
Maron Marvel	Eric Kadish	Baltimore Ennis Land Co., Inc.
Marshall Dennehey	Jeremy Zacharias	Pep Boys
McGivney Kluger	Pooja Patel Caitlin Bodtmann	Bell Supply, DAP, Triangle, Weil McLain
Rawle & Henderson	Linda Dobbins	Hajoca; Billows Electrical Supply
Segal McCambridge	Uri Carni	Southwire Co.
Speziali Greenwald	Joanne Hawkins	UHR Electrical Supply
Wilbraham Lawler	Timothy Sullivan Keith Babula	R.H. Peterson; Siemens Industry, Inc.

IT IS on this 17<sup>th</sup> day of February 2017, 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**

March 3, 2017

Defendants shall serve answers to standard interrogatories by this date. Defendants must also serve answers to B and C interrogatories by this date if plaintiff demanded same.

March 3, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

March 3, 2017 Plaintiff shall serve answers to revised supplemental interrogatories by this date.

April 7, 2017 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.

April 7, 2017 Depositions of corporate representatives shall be completed by this date. Counsel shall comply with Order of June 18, 2014 regarding scheduling of corporate representative depositions.

### **EARLY SETTLEMENT**

March 17, 2017 @ 10:00am Early 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.

### **SUMMARY JUDGMENT MOTION PRACTICE**

April 14, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 28, 2017 Summary judgment motions shall be filed no later than this date.

May 26, 2017 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

April 28, 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**

April 14, 2017 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 2, 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.

### **EXPERT DEPOSITION**

June 23, 2017 Expert depositions shall be completed as agreed upon by counsel. Counsel shall cooperate in scheduling depositions and shall contact court, if necessary. 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**

May 25, 2017                      The settlement conference previously scheduled on this date is **cancelled**.

June 28, 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.

July 10, 2017                      Pretrial Information Exchange Form due.

July 17, 2017                      **Trial-Ready** Date. (*The June 12, 2017 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