

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

Docket No: **L-2629-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER IV

DAWN KLOOCK, (Estate of ARNOLD KLOOCK, <i>Plaintiff(s),</i> vs. CALON INSULATION, 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 May 4, 2016:

FIRM	ATTORNEY	CLIENT
Keefe Bartels	Patrick Bartels	Plaintiff(s)
Gibbons PC	Robert Brown	Honeywell International / Hoffman LaRoche Inc.
Marks O'Neill	Sebastian Goldstein	Schwalje
Marshall Dennehey	Paul Johnson	Riley Power
McElroy Deutsch	Joseph D. Rasnek	ExxonMobil Corp.; Chevron USA, Inc.
McGivney Kluger	Thomas McNulty	Madsen & Howell
Porzio Bromberg	Michelle Burke	DuPont
Rawle Henderson	Jamie Augustinsky	Mack Trucks Inc.
Reilly Janiczek	Brandy Harris	Cleaver Brooks; Miller & Chitty
Styliades Mezzanotte	Mark Macdonald	HM Royal

IT IS on this 5th day of May, 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.

DISCOVERY

October 31, 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.

SUMMARY JUDGMENT MOTION PRACTICE

December 23, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 6, 2017 Summary judgment motions shall be filed no later than this date.

February 3, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

August 12, 2016 Plaintiff shall serve medical expert reports by this date.

August 12, 2016 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

April 14, 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

March 3, 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.

April 14, 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 DEPOSITIONS

April 28, 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

June 2, 2016 The settlement conference previously scheduled on this date is **cancelled**.

April 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.

May 22, 2017 Trial Date. *(The July 18, 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