

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

Docket No: **L-6996-15 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

MARY SCHULTZ,	<i>Plaintiff(s),</i>
vs.	
AO SMITH WATER PRODUCTS, 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 January 19, 2017:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Robert Silverman	Plaintiff(s)
Connell Foley	Scott Press	PSE&G
Eckert Seamans	Robert McGuire	AO Smith
Hack Piro	Robert Alencewicz	HB Smith
Hardin Kundla	Nicea D'Annunzio	Aaron
Leader & Berkon	Susan Cirilli	IMO
Lenahan & Rockwell	Kristin Deleppo	Nooter Construction Co.
Mayfield Turner	Adam Fogarty	Carrier Corp.
McElroy Deutsch	Joseph D. Rasnek	Burnham; ExxonMobil
McGivney Kluger	Thomas McNulty	Weil McLain
O'Toole Fernandez	Gary Van Lieu	WA Birdsall
Pascarella DiVita	Cory Simmons-Edler	Rheem Mfg.
Porzio Bromberg	Michelle Burke	E.I. DuPont de Nemours & Co.
Reilly Janiczek	Zachery Green	Crown Boiler
Ricci Tyrrell	Nancy Green	CBI
Sedgwick LLP	Afigo Fadahunsi	CBS/Westinghouse; Foster Wheeler
Swartz Campbell	Laura A. Bartow	Sunoco
White & Williams	Victor Zarrilli	Bradford White Corp.
Wilbraham Lawler	Tristin Fabro	South Amboy Plumbing Supply Co.
Wilson Elser	Joseph Hanlon	Hess

IT IS on this 20th day of January, 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

February 15, 2017 Third-party plaintiff shall propound supplemental interrogatories and document requests by this date.

- March 17, 2017 Third-party defendants shall serve answers to supplemental interrogatories and document requests by this date.
- February 15, 2017 Third-party defendants shall propound supplemental interrogatories and document requests by this date.
- March 17, 2017 Third-party plaintiff and co-defendants shall serve answers to supplemental interrogatories and document requests by this date.
- May 15, 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.
- May 15, 2017 Depositions of corporate representatives shall be completed by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- June 9, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- June 23, 2017 Summary judgment motions shall be filed no later than this date.
- July 21, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

- August 31, 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

- August 31, 2017 Defendants and third-party plaintiffs 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.
- October 6, 2017 Third-party defendants shall identify its liability experts and serve liability expert reports, if any, by this date.

EXPERT DEPOSITIONS

- October 31, 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

- November 15, 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.

December 4, 2017

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