

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

Docket No: **L-5111-13(AS)**

Civil Action

CASE MANAGEMENT ORDER IV

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| <p>DELIMIRO & LUZ PEREZ,</p> <p style="text-align: right;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>AMPACET CORP., et al</p> <p style="text-align: right;"><i>Defendant(s).</i></p> |
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 18, 2014:

| FIRM | ATTORNEY | CLIENT |
|---------------------|-------------------|--|
| Lanier Law Firm | Darron Berquist | Plaintiff(s) Counsel <i>(co-counsel with Wilentz Goldman & Spitzer)</i> |
| Baginski Mezzanotte | Patti Lyons | HM Royal |
| Caruso Smith Picini | Ronald S. Suss | Union Carbide |
| Connell Foley | Timothy Corrison | Momentive Speciality Chemicals |
| Dickie McCamey | William Smith | Continental Tire The America; Valentine LLC |
| Edwards Wildman | Gerard Abate | Alcatel-Lucent USA Inc. |
| Hawkins Parnell | Roy Viola | Celanese; Reichhold |
| LeClair Ryan | Michael Goldklang | Ford |
| Littleton Joyce | Jason Schmitz | Ren / BASF Corp. |
| McElroy Deutsch | Donna Gardiner | Wallace & Tiernan USA Inc.; Allen Bradley |
| McGivney Kluger | Thomas McNulty | Simplomatic Mfg.; Rogers Corp.; Package Machinery; Park Electrochemical |
| O'Toole Fernandez | Bruce Braender | GEI |
| Pepper Hamilton | Jeffrey Carr | Honeywell International |
| Porzio Bromberg | Michelle Burke | DuPont; Cytec Engineered Materials; Wyeth Holdings; Eastman Chemical |
| Slowinski Atkins | Angela Cuonzo | Van Dorn Demag Corp. |
| Speziali Greenwald | Michael Quinn | General Electric; CBS |
| White & Williams | James Burger | Pharmacia |
| Wilbraham Lawler | Anisha S. Abraham | Plastics Engineering Co. |

IT IS on this 18th 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 17, 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.

November 14, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

August 5, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

October 16, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

October 24, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

November 21, 2014 Summary judgment motions shall be filed no later than this date.

December 19, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

November 14, 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

November 28, 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.

January 12, 2015 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

November 28, 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 30, 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 13, 2015 @ 9:30am 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 23, 2015 Trial Date. (*The October 27, 2014 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: counsel:
Kelley Jasons for FMC Corp.
cc: Clerk, Mass Tort
Brody Deposition Services
Priority One