

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

SHEETMETAL II

KOECHER /Bell L-7390-15
CAROLAN L-5027-16

Civil Action

CASE MANAGEMENT ORDER II

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on February 8, 2017:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Dennis Geier	Plaintiff(s)
Caruso Smith	Stacey Lee Trien	CertainTeed; Union Carbide
Connell Foley	Scott Press	August Arace; Frank McBride Co.; Superior Welding Supply Co.
Garrity Graham	Stephen Balsamo	Damon G. Douglas
Gibbons PC	Robert Brown	Hoffman La-Roche, Inc.
Hawkins Parnell	Elizabeth Turley	CNA Holdings / Celanese
Landman Corsi	Natalie Garcia	Anheuser Busch
Lavin O'Neil	Catherine Brunermer	3M Company
Margolis Edelstein	Jeff Gale	Central Jersey Supply; Passaic Metal Products; Woolsulate
Marks O'Neill	Sebastian Goldstein Paul Smyth	Superior Boiler Works; Honeywell
Maron Marvel	Carolyn Williams	Industrial Holdings Corp.
McElroy Deutsch	Michelle Hydrusko	Pfizer; Pabst; ExxonMobil
McGivney Kluger	Joel Clark	Duro Dyne; DAP; Raritan Supply
McGivney Kluger	Thomas McNulty	Federated Dept. Stores; S. Franklin & Sons; Armistead; RCH New Co.; Ameron; TJ McGlone
Morgan Melhuish	Deborah Banfield	Novartis
O'Toole Fernandez	Gary Van Lieu	Avocet
Porzio Bromberg	Pamela R. Kaplan	AT&T Corp.; Alcatel-Lucent; Cytec Industries Inc.
Tierney Law Offices	Michael Murphy	Elizabeth Industrial Supply
Wilbraham Lawler	Matthew Jones	Karnak; Dunphey Smith

IT IS on this 10th 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.

These matters are hereby consolidated for discovery, case management and trial.

DISCOVERY

- February 28, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- February 28, 2017 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- March 31, 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.
- March 31, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- February 10, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.
- March 9, 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

- March 31, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- April 13, 2017 Summary judgment motions shall be filed no later than this date.
- May 12, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

- June 7, 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 7, 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 7, 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.

ECONOMIST EXPERT REPORTS

- April 7, 2017 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.

June 7, 2017 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

June 30, 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

May 2, 2017 The settlement conference previously scheduled on this date is **cancelled**.

June 30, 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.

10 business days prior to trial Pretrial Information Exchange Form due.

July 31, 2017 **Trial-Ready** Date. *(The May 30, 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