

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

Docket No: **L-1959-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

<p>ESTATE OF GEORGE ANDERSON,</p> <p style="text-align: center;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>AJ FRIEDMAN SUPPLY CO., et al</p> <p style="text-align: center;"><i>Defendant(s).</i></p>
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This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on August 9, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon Kupilik	Plaintiff(s)
Baginski Mezzanotte	Kurt Trinter	Viking Pump
Barrett Lazar	Dale Hibbard	A&M Wholesale Hardware
Bucca & Campisano	Benjamin Bucca, Jr.	IMO
Carroll McNulty Kull	Kate Hyde	Spriax
Connell Foley	Timothy Corrison	Loizeaux
Day Pitney	Andres Acebo	International Paper
Delany & O'Brien	Tararai Hashemi	Grant Supply Co.
Drinker Biddle	Julie Tersigni	TLV Corp.
Hack Piro	Robert Alencewicz	Johansen
Hardin Kundla	Cynthia Lee	Aaron & Co., Inc.
Hoagland Longo	Katherine Blok	Max L. Brown; McJunkin Red Man Corp.; Presant Industrial Supply
Kent McBride	Amaryah Ju	Koenig
Langsam Stevens	Rob Stickly	Zy-Tech
Littleton Joyce	Christine M. Delaney	BASF
Margolis Edelstein	Ryan M. Kooi	Central Jersey Supply; United Engineers; Industrial Rubber; DVCC; Woolsulate
Marks O'Neill	Dennis Schmieder	Van Houten Avanel
McCarter & English	Mitchell Kurtz	Fisher Scientific
McElroy Deutsch	Helen Antoniou McGowan	Flowsolve US, Inc. as successor to Rockwell
McGinvey Kluger	Nancy Giacumbo	Stockham Valves; J.Heller & Sons
McGivney Kluger	Joel Clark	John Wallace & Co.; Factory & Mill; Raritan; Elizabeth Plumbing
Morgan Melhuish	Timothy K. Saia	Novartis Pharmaceuticals Corp.
O'Toole Fernandez	Gary Van Lieu	McMaster Carr
Speziali Greenwald	Joanne Hawkins	General Electric; Foster Wheeler
Swartz Campbell	William Morlok	Wal-Rich

Tierney Law Office	Mark Turner	Elizabeth Industrial Supply
Vasios Kelly	Keith Platt	Argo; Bird
Wilbraham Lawler	Andrea Greco	Greene Tweed; Karnak Corp.
Wilson Elser	Joseph Hanlon	Metallo

IT IS on this 9<sup>th</sup> day of August, 2013 *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.

Defense counsel shall notify plaintiffs' counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

### **DISCOVERY**

- November 1, 2013      Plaintiff shall serve answers to standard interrogatories, provide the information required by paragraph VI.B.1.a. of the General Order, and shall advise defendants whether the plaintiff is available for deposition and, if not, the reasons therefore by this date.
- November 1, 2013      Plaintiff shall serve answers to wrongful death interrogatories by this date.
- November 15, 2013     Defendants shall serve answers to standard interrogatories by this date.
- December 2, 2013     Plaintiff shall propound supplemental interrogatories and document requests by this date.
- January 10, 2014      Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- December 6, 2013     Defendants shall propound supplemental interrogatories and document requests by this date.
- January 10, 2014      Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- April 1, 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.
- April 15, 2014        Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

July 18, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

June 13, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.

July 11, 2014 Last return date for product identification summary judgment motions.

### **MEDICAL DEFENSE**

November 1, 2013 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

November 1, 2013 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

December 2, 2013 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

May 16, 2014 Plaintiff shall serve additional medical expert reports by this date.

May 16, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

August 15, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

August 15, 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.

September 15, 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.

### **ECONOMIST EXPERT REPORTS**

August 15, 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.

September 15, 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**

September 30, 2014 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**

October 1, 2014 @ 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.

October 20, 2014 Trial Date.

**Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.**

*/s/ Vincent Le Blon*  
VINCENT Le BLON, J.S.C.

cc: Clerk, Mass Tort  
Brody Deposition Services  
Priority One