

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

**Docket No:** L-2587-18 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

JACQUELIN BRANT (Estate of Mary Armstrong),  vs.  ABB INC., et al	<i>Plaintiff(s),</i>     <i>Defendant(s).</i>
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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 12, 2018:

FIRM	ATTORNEY	CLIENT
Simmons Hanly Conroy	Laurence Nassif	Plaintiff(s)
Fox Rothschild	Tom Mastroianni	GATX Corp.
Hoagland Longo	Ibrahim Kosoko	Whittaker Clark & Daniels
Kelley Jasons	Angela Caliendo	FMC Corp.; Square D
Maron Marvel	Timothy Coughlan	Velan Valve Corp.
Marshall Dennehey	Paul Johnson	Warren Pumps
McElroy Deutsch	Nicholas P. Eliades	Crosby; Allen-Bradley; Eaton; Flowserve
McGivney Kluger	Joel Clark	Armstrong International; Gardner Denver
O'Toole Scrivo	Gary Van Lieu	Vanderbilt Minerals
Pascarella DiVita	John S. McGowan	Crane Co.; Trane US Inc.
Rawle & Henderson	Linda Dobbins	Cyprus Amax Minerals; Imerys Talc America
Reilly McDevitt	Adrianna Astringer	Aurora Pump; Dezurik; Goulds Electronics Inc.
Wilbraham Lawler	Lynn E. Roberts, III	Air & Liquid Systems; Viking Pumps; Siemens; Simmons

IT IS on this 13<sup>th</sup> day of **July, 2018**, 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 plaintiff's 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**

September 10, 2018 Plaintiff shall serve answers to standard interrogatories.

September 10, 2018 Plaintiff shall serve answers to wrongful death interrogatories by this date.

September 28, 2018 Defendants shall serve answers to standard interrogatories by this date.

October 12, 2018 Plaintiff shall propound supplemental interrogatories and document requests by this date.

November 21, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

October 12, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.

November 21, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

March 29, 2019 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 29, 2019 Depositions of corporate representatives shall be completed by this date.

#### **EARLY SETTLEMENT**

June 28, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

#### **SUMMARY JUDGMENT MOTION PRACTICE**

June 28, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

July 19, 2019 Summary judgment motions shall be filed no later than this date.

August 16, 2019 Last return date for summary judgment motions.

#### **MEDICAL DEFENSE**

September 10, 2018 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

September 10, 2018 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

June 28, 2019 Plaintiff shall serve medical expert reports by this date.

June 28, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

September 30, 2019 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**

June 28, 2019 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 30, 2019 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**

October 25, 2019 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**

To be scheduled Settlement conference.

November 25, 2019 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