

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

**Docket No:** L-5656-17 (AS)

DAVID & CONSTANCE CLARK, <i>Plaintiff(s),</i>
vs.
EI DuPONT DE NEMOURS & CO. <i>Defendant(s).</i>

**Civil Action**

**CASE MANAGEMENT ORDER I**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on October 18, 2017:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	F. Alexander Eiden	Plaintiff(s)
Porzio Bromberg	Michelle Burke	EI DuPont de Nemours & Co.

IT IS on this 19<sup>th</sup> day of **October, 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.

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**

December 1, 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.

December 1, 2017 Depositions of corporate representatives shall be completed by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

December 8, 2017 Summary judgment motions shall be filed no later than this date.

January 5, 2018 Last return date for summary judgment motions.

**MEDICAL DEFENSE**

February 16, 2018 Defendant 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**

February 16, 2018 Defendant shall identify its liability experts and serve liability expert reports, if any, by this date or waive any opportunity

**ECONOMIST EXPERT REPORTS**

February 16, 2018 Defendant 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**

March 2, 2018 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 31, 2018 @ 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.

March 16, 2018 Pretrial Information Exchange submissions due.

March 26, 2018 Trial-Ready 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