

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

Docket No: L-3269-17 (AS)

Civil Action

CASE MANAGEMENT ORDER II

ESTATE of JOHN FINUCANE,	<i>Plaintiff(s),</i>
vs.	
ADVANCED THERMAL HYDRONICS, et al	<i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 5, 2018:

FIRM	ATTORNEY	CLIENT
Maune Raichle	Patrick Timmins	Plaintiff(s)
Barry McTiernan Moore	Cara Manz	Blackman Plumbing; NJ Plumbing Group; Ridgewood Corp.
Barry McTiernan Wedinger	Cara Manz	Fulton Boiler
Blank Rome	Cindy Mare	American Premier Underwriters
Caruso Smith Picini	Alexandra Caruso	Union Carbide; AmChem
Clyde & Co.	Kevin Turbert	Burnham
Cullen and Dykman	John J. Burbridge	FW Webb Co.
Day Pitney	Alyssa Musmanno	Easco Boiler Corp.
Delany McBride	Ariana Seidel	Peerless Ind.
Ecker Seamans	Christoher Bladel	AO Smith
Hawkins Parnell	Manuel A. Guevara	Hurst Boiler
Hoagland Longo	Jillian Madison	Johnson Controls; Flexible Technologies; Johnston Boiler; Lawrence Kantor; Wallwork Brothers
Jones Law Office	Richard Jones	Metropolitan Life
Kelley Jasons	Michael Pestrak	FMC Corp.; Schneider Electric f/k/a Square D; Sterling Fluid Systems USA
Landman Corsi	Colin P. Be	ECR
Leader & Berkon	Christine Bucca	Spirax Sarco
Margolis Edelstein	Dawn Dezii	Cemline; Watson McDaniel; Donatucci Kitchens
Marin Goodman	Fred Goodman	Fluor
Marks O'Neill	Michael Slivjak	Columbia Boiler; Superior Boiler Works, Inc.
Maron Marvel	Timothy Coughlan	CompuDyne; Keeler Dorr Oliver Boiler Co. improperly plead as Metso Minerals Ind., Inc.
Marshall Conway	Adam Golub	Slant /Fin Corp.
Marshall Dennehey	Paul Johnson	Hanover Supply
Mayfield Turner	Sara Saltsman	Carrier Corp.
McCarter & English	Sarah Tremor	Hercules
McCullough Ginsberg	Jason Schmolze	Okonite
McElroy Deutsch	Stephanie Lopez	Rockwell Automation; Burnham
McGivney Kluger	Caitlin Bodtmann Thomas McNulty	Red Devil, Inc.; Weil McLain; Amtrol, Inc.; Pecora; Taco; DAP; Philadelphia Plumbing Supply

Mercer Law Offices	Jennifer L. Stratis	The John Wood Co., Inc.
Montgomery Fetten	Jason Rojas	JH France
Morrison Mahoney	Diana Hernandez	Cleveland Range
Nowell PA	Jacek Zapotoczny	United Supply Co.
Pascarella DiVita	John S. McGowan	Rheem
Rawle & Henderson	Paul Smyth	Atlantic Plumbing Supply
Reilly McDevitt	Adrianna Exler	Ral Supply; Cleaver Brooks
Ricci Tyrrell	Nancy Green	Patterson Kelley
Tanenbaum Keale c/o Speziali	Afigo Fadahunsi	General Electric
Troutman Sanders	Joanne P. Rogers	Advanced Thermal Hydronics; Mestek Inc.
Weber Gallagher	Mark Heftler	Red White Valve
White & Williams	Michael J. Toczyski	Bradford White; Laars Heating Systems
Wilbraham Lawler	Anisha S. Abraham	Dunphey-Smith

IT IS on this 12th day of April, 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.

DISCOVERY

- May 4, 2018 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- May 4, 2018 Defendants shall serve answers to standard interrogatories by this date.
- June 22, 2018 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- July 31, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- June 22, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.
- July 31, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- October 31, 2018 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 16, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- March 15, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

January 18, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

February 1, 2019 Summary judgment motions shall be filed no later than this date.

March 1, 2019 Last return date for summary judgment motions.

MEDICAL DEFENSE

December 7, 2018 Plaintiff shall serve medical expert reports by this date.

April 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

December 7, 2018 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.

April 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

May 31, 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

May 15, 2019 @ 1:30pm 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.

June 24, 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