

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

**Docket No:** L-1079-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER III**

ESTATE of ESTELLE GALLUS, <i>Plaintiff(s),</i>
vs.
AJ FRIEDMAN SUPPLY CO., INC., 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 August 7, 2018:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Wilentz Goldman & Spitzer	Vincent Cheng	Plaintiff(s)
DeCotiis Fitzpatrick	Michael Moroney	Spirax Sarco, Inc.
Langsam Stevens	Kelsey Knish	Zy-Tech
Margolis Edelstein	Dawn Dezii	Woolsulate
McGivney Kluger	Joel Clark	Raritan Supply; Elling Brothers; J. Wallace
McGivney Kluger	Thomas McNulty	Duriron
Rawle & Henderson	Sebastian Goldstein	Nicholas Schwlaje
Tierney Law Office	Brian Garbaez	Major Inc.
Vasios Kelley	Thomas J. Kelly, Jr.	Johnson & Johnson

IT IS on this 7<sup>th</sup> day of **August, 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.

**EARLY SETTLEMENT**

August 31, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

**MEDICAL DEFENSE**

October 15, 2018 Plaintiff shall serve medical expert reports by this date.

October 15, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

January 14, 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**

- November 16, 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.
- January 4, 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**

- February 15, 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**

- September 19, 2018 The settlement conference previously scheduled on this date is **cancelled**.
- November 1, 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.
- February 22, 2019 @ 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 18, 2019 Trial Date. (*The October 22, 2018 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