

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

Docket No: L-6997-15 (AS)

Civil Action

CASE MANAGEMENT ORDER I

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| ESTATE of DANIEL LANGAN, <i>Plaintiff(s),</i> |
| vs. |
| JOHN DOE, 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 March 20, 2018:

| FIRM | ATTORNEY | CLIENT |
|---------------------------|-----------------------|---|
| Wilentz Goldman & Spitzer | Abby Resnick-Parigian | Plaintiff(s) |
| Bodell Bove | Todd S. McGarvey | Linden Associated Auto Parts |
| Breuninger & Fellman | Raymond Chow | National Auto Parts Assoc.; Van Wickle Auto Supply; Shrewsbury Auto Parts |
| Gibbons PC | Daniel Dorfman | Honeywell International |
| LeClair Ryan | Gary M. Sapir | Ford Motor Co. |
| Tanenbaum Keale | Christopher Keale | Borg Warner |

IT IS on this 23rd day of March, 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

- | | |
|----------------|--|
| April 20, 2018 | Defendants shall serve answers to standard interrogatories by this date. |
| April 27, 2018 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| June 1, 2018 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| April 27, 2018 | Defendants shall propound supplemental interrogatories and document requests by this date. |
| June 1, 2018 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date. |

June 29, 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.

EARLY SETTLEMENT

August 24, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

September 25, 2018 @ 10:00am Early 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.

SUMMARY JUDGMENT MOTION PRACTICE

July 6, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

July 20, 2018 Summary judgment motions shall be filed no later than this date.

August 17, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

December 14, 2018 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

October 31, 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.

December 14, 2018 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

October 31, 2018 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.

December 14, 2018 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

January 18, 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

January 8, 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.

February 19, 2019 (*Tuesday*) 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