

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

**Docket No:** L-1670-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER VI**

BEVERLY McGRATH (Estate of John McGrath),  <i>Plaintiff(s),</i>  vs.  ANHEUSER BUSCH INC., et al  <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 August 14, 2018:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	William Kuzmin	Plaintiff(s)
Caruso Smith	Nicholas Albano	CertainTeed; Union Carbide; Essex Chemical
Gibbons PC	Robert D. Brown, Jr.	Hoffman LaRoche Inc.
Goldberg Segalla	H. Lockwood Miller	Givaudan
Landman Corsi	Jessica Seiden	Anheuser Busch
Littleton Park	Jason Schmitz	BASF Catalysts LLC
Maron Marvel	Jennifer McGarrity	Industrial Holdings Corp.
McElroy Deutsch	Donna Gardiner	Pabst Brewing Co.
Mound Cotton	Pamela J. Minetto	Viad Corp.
Pascarella DiVita	Bradley E. Bishop	Ingersoll Rand
Porzio Bromberg	Michelle Burke	Cytec Industries, Inc.; AT&T
Tanenbaum Keale	Afigo Fadahunsi	CBS/Westinghouse; General Electric Co.
Wilbraham Lawler	Lynn E. Roberts, III	PSE&G

IT IS on this 15<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.

**DISCOVERY**

September 28, 2018 Plaintiff and defendants shall serve answers to any outstanding supplemental discovery requests by this date.

November 16, 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**

December 21, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

December 21, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 18, 2019 Summary judgment motions shall be filed no later than this date.

February 15, 2019 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

December 17, 2018 Plaintiff shall serve medical expert reports by this date.

December 17, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

March 29, 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 17, 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.

March 29, 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.

April 15, 2019 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

### **EXPERT DEPOSITIONS**

May 17, 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**

November 2, 2018

The settlement conference previously scheduled on this date is **cancelled**.

May 2, 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.

June 17, 2019

Trial Date. (*The December 17, 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