

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

Docket No: **L-2882-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

CHRISTOPHER MORELLI (Estate of Michelle Morelli), <i>Plaintiff(s),</i> vs. HONEYWELL INTERNATIONAL 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 April 15, 2014:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitell	Plaintiff(s)
Shrader & Associates	Allyson Romani	Plaintiff(s) co-counsel
Gibbons PC	Robert D. Brown, Jr.	The Sherwin-Williams Co.
O'Toole Fernandez	Joshua S. Lichtenstein	RT Vanderbilt

IT IS on this 15th day of April, 2014 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.

to have filed an amended answer to the complaint without any further filing.

DISCOVERY

- April 25, 2014 Defendant RT Vanderbilt shall provide answers to standard interrogatories and all prior discovery to Sherwin Williams by this date.
- May 23, 2014 Defendant Sherwin Williams shall propound supplemental interrogatories and document requests by this date.
- June 23, 2014 Plaintiff and RT Vanderbilt shall serve answers to supplemental interrogatories and document requests by this date.
- May 23, 2014 Defendant RT Vanderbilt shall propound supplemental interrogatories and document requests upon Sherwin Williams by this date.

June 23, 2014 Defendant Sherwin Williams shall serve answers to supplemental interrogatories and document requests by this date.

August 1, 2014 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.

September 15, 2014 Depositions of corporate representatives shall be completed by this date.

SUMMARY JUDGMENT MOTION PRACTICE

October 24, 2014 Summary judgment motions shall be filed no later than this date.

November 21, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

May 16, 2014 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

August 29, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

October 15, 2014 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 15, 2014 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 15, 2014 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 15, 2014 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 15, 2015 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

December 11, 2014 @ 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.

January 26, 2015 Trial Date. (*The May 19, 2014 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
Brody Deposition Services
Priority One