

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

ROBERT & RENAYE STAFFORD, <i>Plaintiff(s),</i>
vs.
BADGER COMPANY, INC., et al <i>Defendant(s).</i>

Docket No: **L-5667-15 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on May 23, 2017:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon G. Kupilik	Plaintiff(s)
Gibbons	Alan Gries	Cornell & Co.
Marshall Dennehey	Jeremy J. Zacharias	Thomas Scientific
McCarter & English	John C. Garde	Fisher Scientific, Inc.
McElroy Deutsch	Joseph D. Rasnek	ExxonMobil Corp.
Rawle & Henderson	Susan Riechelton	Henkels & McCoy

IT IS on this 24<sup>th</sup> day of May, 2017, 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**

June 9, 2017                      Fisher Scientific shall produce transcripts identified in response to interrogatory B. 34 by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

June 9, 2017                      Summary judgment motions shall be filed no later than this date.

July 7, 2017                      Last return date for summary judgment motions.

June 23, 2017                    Exxon shall file summary judgment motion no later than this date.

July 21, 2017                    Return date for summary judgment motion filed by Exxon.

**MEDICAL DEFENSE**

July 14, 2017                    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 1, 2017 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, 2017 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**

- July 28, 2017 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 8, 2018 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**

- July 6, 2017 The settlement conference previously scheduled on this date is **cancelled**.
- August 11, 2017 @ 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.
- December 13, 2017 @ 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 22, 2018 Pretrial Information Exchange Form due.
- January 29, 2018 **Trial-Ready** Date. *(The July 31, 2017 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