

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

Docket No: L-7304-15 (AS)

Civil Action

CASE MANAGEMENT ORDER I

ALLEN & HELEN AKRIGG, <i>Plaintiff(s),</i>
vs.
AW CHESTERTON CO., 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 9, 2016:

FIRM	ATTORNEY	CLIENT
Pettit Law Office	James J. Pettit	Plaintiff(s)
Pascarella DiVita	Gabriel Miller	Ingersoll Rand

IT IS on this 11th day of August, 2016, *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

- | | |
|-------------------|---|
| October 11, 2016 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| November 11, 2016 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| October 11, 2016 | Defendants shall propound supplemental interrogatories and document requests by this date. |
| November 11, 2016 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date. |
| November 30, 2016 | Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date. |
| January 31, 2017 | 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

- October 31, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.
- December 14, 2016 @ 1:30pm 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

- March 3, 2017 Summary judgment motions shall be filed no later than this date.
- March 31, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

- October 11, 2016 Defendants shall forward medical authorizations to plaintiff's counsel by this date.
- October 31, 2016 Plaintiff shall serve executed medical authorizations by this date.
- May 10, 2017 Plaintiff shall serve medical expert reports by this date.
- June 9, 2017 The defense medical examination of plaintiff(s) shall be completed by this date.
- July 7, 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

- May 10, 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.
- July 7, 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.

EXPERT DEPOSITIONS

- July 28, 2017 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

- August 2, 2017 @ 1:30pm 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.

August 21, 2017

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