

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

EMIL ALLGEIER, vs. AO SMITH WATER PRODUCTS, et al	<i>Plaintiff(s),</i> <i>Defendant(s).</i>

EMIL ALLGEIER, vs. AO SMITH WATER PRODUCTS, et al	<i>Plaintiff(s),</i> <i>Defendant(s).</i>

Docket No: L-2194-16 (AS)

Docket No: L-2922-16 (AS)

Civil Action

**CASE MANAGEMENT ORDER I
AMENDED**

This matter having come in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 8, 2016:

FIRM	ATTORNEY	CLIENT
<i>Weitz & Luxenberg</i>	<i>Brandi Everett</i>	<i>Plaintiff(s)</i>
<i>Christie & Young</i>	<i>George S. Bobnak</i>	<i>HB Fuller Co.</i>
<i>Gibbons PC</i>	<i>Mark R. Galdieri</i>	<i>Honeywell International Inc.</i>
<i>Marks O'Neill</i>	<i>Paul Smyth</i>	<i>Columbia Boiler</i>
<i>Maron Marvel</i>	<i>Carolyn Williams</i>	<i>Keeler Dorr Oliver</i>
<i>McGivney Kluger</i>	<i>Caitlin Christie</i>	<i>Faribanks; Weil McLain; Pecora</i>
<i>O'Toole Fernandez</i>	<i>Gary Van Lieu</i>	<i>Dana</i>
<i>Pascarella DiVita</i>	<i>Bradley E. Bishop</i>	<i>Crane</i>
<i>Reilly Janiczek</i>	<i>Adrianna Exler</i>	<i>Cleaber-Brooks</i>
<i>Speziali Greenwald</i>	<i>Joanne Hawkins</i>	<i>Foster Wheeler</i>

IT IS on this 13th day of **OCTOBER, 2016**, *Case Management Order I is hereby*

AMENDED 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

December 15, 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.

February 15, 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.

February 15, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

March 2, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

March 2, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

March 16, 2017 (*Thur.*) Summary judgment motions shall be filed no later than this date.

April 13, 2017 (*Thur.*) Last return date for summary judgment motions.

MEDICAL DEFENSE

February 15, 2017 Plaintiff shall serve medical expert reports by this date.

May 2, 2017 The defense medical examination of plaintiff(s) shall be completed by this date.

June 2, 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

March 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.

June 2, 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

March 10, 2017 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.

June 2, 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

June 30, 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

May 11, 2017 The settlement conference previously scheduled on this date is **cancelled**.

June 29, 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.

July 24, 2017 Trial Date. (*The June 12, 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