

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

WILLIAM & MARGIE ANDERTON, <i>Plaintiff(s),</i>
vs.
3M COMPANY, et al <i>Defendant(s).</i>

**Docket No:** L5866-18 (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 23, 2019:*

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
<i>Simon Greenstone</i>	<i>Joseph J. Mandia</i>	<i>Plaintiff(s) co-counsel with Szaferman Lakind</i>
<i>Barry McTiernan Moore</i>	<i>Claire Huynh</i>	<i>Eli Lilly Co.; ConocoPhillips Co.; Chevron Phillips Chemical; Phillips 66</i>
<i>Caruso Smith</i>	<i>Lisa Massimi</i>	<i>Union Carbide</i>
<i>Hawkins Parnell</i>	<i>Manuel a. Guevara</i>	<i>Revlon Inc.</i>
<i>Landman Corsi</i>	<i>Jessica Lomia</i>	<i>The Lincoln Electric Co.</i>
<i>Lavin Cedrone</i>	<i>Catherine Brunermer</i>	<i>3M Company</i>
<i>Lowenstein Sandler</i>	<i>Naomi Barrowclough</i>	<i>Conopco Inc.; Unilever US Inc.</i>
<i>McCarter &amp; English</i>	<i>Debra M. Perry</i>	<i>Johnson &amp; Johnson</i>
<i>McElroy Deutsch</i>	<i>Michelle Hydrusko</i>	<i>Pfizer Inc.</i>
<i>McGivney Kluger</i>	<i>Caitlin Bodtmann</i>	<i>Whitaker Clark &amp; Daniels</i>
<i>O'Toole Scrivo</i>	<i>Gary Van Lieu</i>	<i>Colgate Palmolive Co.</i>
<i>Rawle &amp; Henderson</i>	<i>Brian Lowenberg</i>	<i>Cyprus Amax Minerals Co.</i>

IT IS on this **8<sup>th</sup>** day of **November 2019**, that 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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

**EARLY SETTLEMENT**

March 20, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

### **MEDICAL EXPERT REPORT**

- \*December 1, 2019 Plaintiff shall serve medical expert reports by this date.
- \*December 1, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- \*March 3, 2020 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 13, 2019 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.
- January 31, 2020 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.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- January 31, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- February 14, 2020 Summary judgment motions shall be filed no later than this date.
- March 13, 2020 Last return date for summary judgment motions.

### **ECONOMIST EXPERT REPORTS**

- December 13, 2019 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.
- January 31, 2020 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**

- April 6, 2020 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**

- To be scheduled Settlement conference.
- April 3, 2020 @ 10:00am Status Conference.

May 4, 2020

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