

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

Docket No: L-3809-12 (AS)

Civil Action

CASE MANAGEMENT ORDER II

GAIL ANDRU (Estate of Andrew Nelson),	
	<i>Plaintiff(s),</i>
vs.	
3M COMPANY, 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 September 16, 2014:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Bonner Kiernan	Ken Schoen	Occidental Chemical; Durez
Breuninger Fellman	Raymond Chow	NAPA
Budd Larner	Dan Feuerstein	Ericsson
Caruso Smith	Marcia DePolo	Union Carbide; CertainTeed
Epstein Cohen Gilberti	Michael Gilberti	Crane Co.
Forman Perry	Thomas M. Toman, Jr.	Cooper Industries
Gibbons PC	Alan Gries	Selby Battersby
Gibbons PC	Ethan Stein	Honeywell
Hardin Kundla	Nicea D'Annunzio	Calon
Harris Beach	Syed K. Rizvi	Progress Lighting; Hubbell Inc.; Hubbell Power Systems
Hoagland Longo	Nora Grimbergen	SII; Exteco; Goulds Pumps; WW Grainger
Kelley Jasons	Joseph Vassalotti	Square D; Victaulic; Northern Pump; McNally
Lavin O'Neil	LaWanda D. White	RSCC Wire & Cable
Leader & Berkon	Lynelle Maginley-Liddie	IMO Industries; Spirax Sarco
Margolis Edelstein	Ryan Buchanan	Belden; Alpha Wire; John Crane; Columbia
Marks O'Neill	Sebastian Goldstein	Whirlpool Corp.
Marshall Dennehey	Lisa Only	Warren Pumps
Mattson Madden	John R. Leith	Okonite
Mayfield Turner	Sara Saltsman	Carrier Corp.
McCarter & English	Charles Benjamin	Hercules; Ashland, Inc.
McElroy Deutsch	Kathryn Carey	Sampson; Allen-Bradley; Eaton
McGivney Kluger	Joel Clark Caitlin Christie	Nash; Weil McLain; Simplex Wire & Cable; Taco; CCX; Gardner Denver; Flowserve; Treadwell; Graybar
O'Toole Fernandez	Leslie Lombardy	Peerless; Gould Electronics
Pascarella DiVita	Corinne Cerrati	Trane; General Cable

Pepper Hamilton	John Brenner	Bristol Myers Squibb
Porzio Bromberg	Michelle Burke	DuPont
Reilly Janiczek	Steven A. Jenks, Jr.	Aurora; Cleaver Brooks; CR Daniels
Salmon Ricchezza	John Dugan	AGCO Corp.
Segal McCambridge	Kevin Turbert	National Lighting
Tierney Law Office	Mark Turner	Beacon Electronics
Vasios Kelly	Thomas J. Kelly, Jr.	Bird
Wilbraham Lawler	Andrea Greco	Buffalo Pumps

IT IS on this 17th day of September, 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.

DISCOVERY

December 31, 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.

January 30, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

January 7, 2015 The settlement conference previously scheduled on this date is **cancelled**.

January 9, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

February 11, 2015 @ 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

February 20, 2015 Summary judgment motions shall be filed no later than this date.

March 20, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

April 17, 2015 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

February 13, 2015 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.

April 17, 2015 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

February 13, 2015 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.

April 17, 2015 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

May 8, 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

April 23, 2015 @ 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.

May 26, 2015 (*Tuesday*) Trial Date. (*The January 26, 2015 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