

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

**Docket No: L-3809-12 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER VII**

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 March 7, 2016:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Breuninger Fellman	Raymond Chow	NAPA
Budd Larner	Terence W. Camp	Ericsson, Inc.
Caruso Smith	Lisa Massimi	Union Carbide; CertainTeed
Darger Errante	Mark Friesz	Lightolier
Day Pitney	Rasika Chakravarthy	Phelps Dodge Ind.
Forman Watkins	Thomas Toman, Jr.	Cooper Industries
Gibbons PC	Alan Gries	Selby Battersby; Honeywell
Hardin Kundla	Nicea D'Annunzio	Calon
Harris Beach	David Kochman	Progress Lighting; Hubbell Inc.; Hubbell Power Systems
Hoagland Longo	Jason R. Gosnell	Exteco; Goulds Pumps; WW Grainger
Kelley Jasons	Angela Caliendo	Square D; Victaulic; Northern Pump; McNally
Leader & Berkon	Susan Cirilli	IMO Industries; Spirax Sarco
Lynch Daskal	Alexandra Ober	Georgia Pacific
Margolis Edelstein	Justin Bettis	Belden; Alpha Wire; John Crane
Marks O'Neill	Sebastian Goldstein	Whirlpool Corp.; Columbia Boiler
Marshall Dennehey	Lisa Only	Warren Pumps RSCC Wire & Cable; AIW; Leviton
Mayfield Turner	Adam Fogarty	Carrier Corp.
McCarter & English	Christopher Roju	Hercules; Ashland, Inc.
McCullough Ginsberg	Damon T. Kamvosoulis	Okonite
McElroy Deutsch	Gabriel Ferstendig	Allen-Bradley; Eaton; Burnham
Pascarella DiVita	Madelyn Iulo	Trane; General Cable; Crane
Porzio Bromberg	Pamela Kaplan	DuPont
Reilly Janiczek	Colleen Cavanaugh	Aurora; Cleaver Brooks; CR Daniels; Goulds Electronics; Samson Electric Supply
Salmon Ricchezza	John Dugan	AGCO Corp.
Segal McCambridge	Stephanie DeVos	National Lighting
Tierney Law Office	Mark Turner	Beacon Electronics
Vasios Kelly	Thomas J. Kelly, Jr.	Bird
Wilbraham Lawler	Tristin Fabro	Buffalo Pumps; Siemens

IT IS on this 8<sup>th</sup> day of MARCH, 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.

### **DISCOVERY**

June 7, 2016 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.

July 7, 2016 Depositions of corporate representatives shall be completed by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

August 5, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

August 19, 2016 Summary judgment motions shall be filed no later than this date.

September 16, 2016 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

August 12, 2016 Plaintiff shall serve additional medical expert report by this date.

August 12, 2016 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

October 14, 2016 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

August 12, 2016 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.

October 14, 2016 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**

August 12, 2016 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.

October 14, 2016 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**

November 11, 2016      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 10, 2016      The settlement conference previously scheduled on this date is **cancelled**.

November 9, 2016 @ 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 12, 2016      Trial Date. (*The September 19, 2016 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