

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

Docket No: L-1975-12 (AS)

Civil Action

CASE MANAGEMENT ORDER I

DAWN AUBE (Estate of Joseph Claffy), <i>Plaintiff(s),</i> vs. 3M COMPANY, et al <i>Defendant(s).</i>

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on July 17, 2012 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Budd Lerner	Katherine Potter	Goodyear Tire & Rubber Co.
Caruso Smith	Marcia DePolo	HB Fuller; Union Carbide
Garrity Graham	Anthony Marino	United Conveyor
Goldfein & Joseph	Willard Preston	ACL; Atlas
Hack Piro	Robert Alencewicz	Johansen
Hofheimer Gartlir	Gary Smith	Rapid American Corp.
Kent McBride	Courtney Dowd	Mooney Brothers
Lavin O'Neil	Catherine Brunermer	3M Company
Margolis Edelstein	Ashley Mollenthiel	John Crane Inc.; Central Jersey Supply
Tierney Law Office	Todd Arno	Elizabeth Industrial Supply

IT IS on this 18th day of July, 2012 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 plaintiffs' 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

July 31, 2012

Defendants shall serve answers to standard interrogatories by this date.

August 17, 2012 Plaintiff shall propound supplemental interrogatories and document requests by this date.

September 14, 2012 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

July 31, 2012 Defendants shall propound supplemental interrogatories and document requests by this date.

August 31, 2012 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

October 31, 2012 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.

November 30, 2012 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

December 14, 2012 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

January 11, 2013 Summary judgment motions limited to product identification issues shall be filed no later than this date.

February 8, 2013 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

July 31, 2012 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

July 31, 2012 Plaintiff shall serve additional medical expert reports by this date.

March 8, 2013 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

March 1, 2013 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.

March 29, 2013 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

April 12, 2013 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

March 7, 2013 @ 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.

April 29, 2013 Trial Date.

Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Ann G. McCormick
ANN G. McCORMICK, J.S.C.

cc: Clerk, Mass Tort
 Brody Deposition Services
 Priority One