

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

Docket No: L-1975-12 (AS)

Civil Action

CASE MANAGEMENT ORDER II

| | | |
|---|----------------------|--|
| 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 before Special Master Agatha N. Dzikiewicz and the following parties on *February 19, 2014*:

| FIRM | ATTORNEY | CLIENT |
|-------------------------|--------------------|----------------------------------|
| Cohen Placitella & Roth | Rachel Placitella | Plaintiff(s) |
| Budd Lerner | Dan Feuerstein | Goodyear |
| Caruso Smith | Stacey Lee Trien | HB Fuller; Union Carbide |
| Connell Foley | Patrick J. Hughes | Evonik Corp. |
| Garrity Graham | Anthony Marino | United Conveyor |
| Goldfein & Joseph | Madhurika Jeremiah | ACL; Atlas |
| Hack Piro | Christine McCarthy | Johansen |
| Kent McBride | R. Shah | Moon |
| Margolis Edelstein | Joni Tarchichi | John Carne, Inc.; Central Jersey |
| McGivney Kluger | Joel Clark | Madsen & Howell; Raritan Supply |
| Tierney Law Office | Kellie Hannum | Elizabeth Industrial Supply |

IT IS on this 25th day of , 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

March 31, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

April 30, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

May 30, 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.

June 30, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

June 16, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

July 18, 2014 @ 10:00am 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.

OTHER MOTIONS

July 25, 2014 Filing date.

August 22, 2014 Return date.

MEDICAL DEFENSE

May 30, 2014 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.

June 30, 2014 Plaintiff shall serve medical expert reports by this date.

September 30, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

September 30, 2014 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 31, 2014 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

November 14, 2014 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

November 13, 2014 @ 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 1, 2014 Trial Date.

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

/s/ Vincent Le Blon
VINCENT Le BLON, J.S.C.

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One