

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

Docket No: L-2259-16 (AS)

Civil Action

CASE MANAGEMENT ORDER III

BRIAN & LEE BEER,	<i>Plaintiff(s),</i>
vs.	
AW CHESTERTON CO., 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 May 11, 2017:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Lynne Kizis Philip Tortoreti	Plaintiff(s)
Caruso Smith	Marcia DePolo	Union Carbide; CertainTeed
Dickie McCamey	Tiffany Turner	Conval
Hoagland Longo	Jillian Madison	Collins Packing
Lavin O'Neil	Catherine Brunermer	3M Co.
Littleton Joyce	Katherine Galdieri	McMaster-Carr
Maron Marvel	Timothy Coughlan	Velan Valve Corp.
McCarter & English	Jean Patterson	Fisher Scientific Co.
McElroy Deustch	Joseph D. Rasnek	Flowserve US Inc.; Allen Bradley; Pfizer
McGivney Kluger	Caitlin Bodtmann Thomas McNulty	Atlas Welding Supply; Seaboard Welding Supply; New Jersey Boiler Repair: DAP; Flowserve; Nash Engineering
Pascarella DiVita	Stephanie DiVita	Crane; Crane Pumps
Rawle & Henderson	Susan Riechelsson	Henkels & McCoy; Met Pro
Reilly Janiczek	Adrianna Exler	Cleaver Brooks; Miller & Chitty
Ricci Tyrrell	Stuart M. Goldstein	Chicago Bridge & Iron; Toms River Plumbing
Segal McCambridge	Alexander C. Schaffel	BW/IP; AW Chesterton
Vasios Kelly	Douglas Singeltery	Armstrong International
Wilbraham Lawler	Keith Babula	Karnak; Air & Liquid Systems Corp.

IT IS on this 17th day of May, 2017, 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 16, 2017

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 16, 2017 Depositions of corporate representatives shall be completed by this date.

SUMMARY JUDGMENT MOTION PRACTICE

July 21, 2017 Summary judgment motions shall be filed no later than this date.

August 18, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

September 29, 2017 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

July 14, 2017 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.

September 29, 2017 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

June 16, 2017 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.

September 29, 2017 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

October 20, 2017 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

July 13, 2017 @ 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.

September 19, 2017 @ 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.

October 18, 2017 @ 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.

November 13, 2017 Trial Date. (*The June 5, 2017 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