

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

Docket No: L-6148-18 (AS)

Civil Action

CASE MANAGEMENT ORDER II

MICHAEL & BARBARA BEZICK, <i>Plaintiff(s),</i>
vs.
ASBESTOS CORP. LTD., 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 28, 2019:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Robert Silverman	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.; NAPA Auto Parts
Caruso Smith	Alexandra Caruso	Metropolitan Life
Goldfein & Joseph	Madhurika Jeremiah	Asbestos Corp. Ltd.; Bell Asbestos Mines Ltd.
Harwood Lloyd	Victoria D. Silva	Carlisle Industrial Brake & Friction, Inc.
Hawkins Parnell	Roy Viola	Pneumo Abex
Kent McBride	Matt Forys	Mine Safety Appliance Co.
Marshall Dennehey	Ana McCann	Pep Boys
McElroy Deutsch	Nancy McDonald	Eaton Corp.
O'Toole Scrivo	Leslie Lombardy	DCo LLC
Rawle & Henderson	Sebastian Goldstein	Mack Trucks, Inc.
Wilbraham Lawler	Josette Spivak	Kelsey-Hayes

IT IS on this 29th day of May 2019, *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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

DISCOVERY

- October 11, 2019 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.
- October 11, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

January 3, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

November 12, 2019 Plaintiff shall serve medical expert reports by this date.

November 12, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

January 31, 2020 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

November 12, 2019 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

January 31, 2020 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.

SUMMARY JUDGMENT MOTION PRACTICE

November 8, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 22, 2019 Summary judgment motions shall be filed no later than this date.

December 20, 2019 Last return date for summary judgment motions.

ECONOMIST EXPERT REPORTS

November 12, 2019 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.

January 31, 2020 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

February 28, 2020 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

December 11, 2019 The settlement conference previously scheduled on this date is **cancelled**.

February 26, 2020 @ 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.

March 23, 2020 Pretrial Information Exchange submissions due.

March 30, 2020 Trial-Ready Date. (*The January 27, 2020 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