

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

Docket No: L-145-15 (AS)

Civil Action

CASE MANAGEMENT ORDER VI

ESTATE of HARVEY BIRCH,
<i>Plaintiff(s),</i>
vs.
AIW 2010 WIND DOWN CORP., 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 July 10, 2017:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Bonner Kiernan	Sheila King	Occidental Chemical Corp.
Caruso Smith	Marcia DePolo	Union Carbide
Marshall Dennehey	Christopher B. Block	RSCC Wire & Cable; Leviton; AIW
McGivney Kluger	Christopher M. Longo	Rogers Corp.; Spaulding Composites Inc.; Spaulding Fibre Co.; Monogram Industries, Inc.
McGivney Kluger	Trish Wilson	Graybar Co.
Porzio Bromberg	Michelle Burke	Alcatel-Lucent; AT&T Corp.
Speziali Greenwald	Joanne Hawkins	General Electric
Traflet & Fabian	Christina Gurry	AFC Cable Systems, Inc.
Wilbraham Lawler	Tristin Fabro	Plastics Engineering

IT IS on this 11th day of July, 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

December 29, 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.

January 31, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

February 9, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

February 15, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

March 1, 2018 (*Thurs.*) Summary judgment motions shall be filed no later than this date.

March 29, 2018 (*Thurs.*) Last return date for summary judgment motions.

MEDICAL DEFENSE

February 9, 2018 Plaintiff shall serve medical expert reports by this date.

April 30, 2018 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

February 9, 2018 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.

April 30, 2018 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

February 9, 2018 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.

April 30, 2018 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

May 25, 2018 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 28, 2017 The settlement conference previously scheduled on this date is **cancelled**.

April 18, 2018 @ 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.

June 18, 2018

Trial Date. (*The January 8, 2018 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