

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

**Docket No:** L-764-14 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER II**

ESTATE of MICHAEL CAHILL, <i>Plaintiff(s),</i>
vs.
ABEX CORPORATION, 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 August 22, 2017:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	William L. Kuzmin	Plaintiff(s)
Gibbons PC	Ethan Stein	Honeywell International Inc.
LeClair Ryan	Gary M. Sapit	Ford Motor Co.
O'Toole Scrivo	Franklin D. Paez	Dana Corp.
Tanenbaum Keale	Mayam Meseha	Borg Warner

IT IS on this 22<sup>nd</sup> day of August, 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**

September 8, 2017 Counsel for Ford shall provide two or three dates for a deposition of its corporate representative by this date.

October 31, 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.

October 31, 2017 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

February 16, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

### **FORUM NON-CONVENIENS MOTIONS**

November 17, 2017 Filing date.

December 15, 2017 Return date.

### **DISPOSITIVE MOTIONS**

January 5, 2018 Filing date.

February 2, 2018 Return date.

### **MEDICAL DEFENSE**

November 30, 2017 Plaintiff shall serve medical expert reports by this date.

March 16, 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**

November 30, 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.

March 16, 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**

November 30, 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.

March 16, 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**

April 13, 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**

March 23, 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.

May 14, 2018 Trial 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