

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

**Docket No: L-900-14 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER XII**

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| ESTATE of NANCY CAIRO,<br><i>Plaintiff(s),</i>             |
| vs.  |
| AMERICAN INTERNATIONAL IND., et al<br><i>Defendant(s).</i> |

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on September 19, 2017:

| FIRM              | ATTORNEY         | CLIENT                              |
|-------------------|------------------|-------------------------------------|
| Levy Konigsberg   | Amber Long       | Plaintiff(s)                        |
| Caruso Smith      | Alexandra Caruso | Union Carbide; CertainTeed          |
| Fornaro Francioso | Richard Rornaro  | Yardville Supply                    |
| Hawkins Parnell   | Roy Viola        | American International              |
| Hoagland Longo    | Daniel Kuzmerski | Whittaker Clark & Daniels (TP def.) |
| Lynch Daskal      | Elissa Regev     | Georgia Pacific                     |

IT IS on this 20<sup>th</sup> day of **September, 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 15, 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.

December 15, 2017 Depositions of corporate representative depositions shall be completed by this date.

**EARLY SETTLEMENT**

December 22, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

January 5, 2018 Whittaker Clark & Daniels may file a motion for summary judgment no later than this date.

February 2, 2018 Return date for summary judgment motion by Whittaker Clark & Daniels.

**MEDICAL DEFENSE**

November 17, 2017 Plaintiff shall serve medical expert reports by this date.

March 30, 2018 Defendants shall serve expert medical reports, if any, by this date.

**LIABILITY EXPERT REPORTS**

January 31, 2018 Plaintiff shall serve expert reports, if any, by this date.

March 30, 2018 Defendants shall serve liability expert reports, if any, by this date.

**EXPERT DEPOSITIONS**

April 27, 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**

December 7, 2017 The settlement conference previously scheduled on this date is **cancelled**.

February 9, 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.

April 26, 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 29, 2018 (Tuesday) Trial Date. (*The January 22, 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