

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

Docket No: L-6977-13 (AS)

Civil Action

CASE MANAGEMENT ORDER II

JOHN CALANDRA, <i>Plaintiff(s),</i> vs. AO SMITH WATER PRODUCTS 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 September 30, 2014:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Alex Eiden	Plaintiff(s)
Caruso Smith	Nicholas Albano	CertainTeed; Union Carbide
Connell Foley	Richard Jagen	Palermo
Gibbons PC	Ahmed Kassim	Honeywell International Inc.
Hawkins Parnell	Edward P. Abbot	Oakfabco
Hoagland Longo	Jason R. Gosnell	Kohler; Goulds Pumps; Modern Plumbing
Kent McBride	David Rutkowski	ECR (Utica)
Leader & Berkon	Lynelle Maginley-Liddie	Spirax Sarco
Marshall Dennehey	Lisa Only	Pep Boys
McElroy Deutsch	Michelle Hydrusko	AO Smith Water Products Co.
McGivney Kluger	Joel Clark	Pashman; Taco; Nutley; Weil McLain; Sexauer; Rain Bird
O'Toole Fernandez	Jaqueline Muttick	Peerless Industries, Inc.
Pascarella DiVita	Michael A. Posavetz	Rheem Mfg.
Reilly Janiczek	Michelle Cappuccio	ITT Corp.; Cleaver Brooks, Inc.

IT IS on this 1st day of **October, 2014** *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.

EARLY SETTLEMENT

October 31, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

January 9, 2015 The settlement conference previously scheduled on this date is **CANCELLED**.

SUMMARY JUDGMENT MOTION PRACTICE

November 7, 2014 Summary judgment motions shall be filed no later than this date.

December 5, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

October 31, 2014 Plaintiff shall serve medical expert reports by this date.

October 31, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

January 16, 2015 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

October 31, 2014 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.

January 16, 2015 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.

EXPERT DEPOSITIONS

January 30, 2015 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

February 13, 2015 @ 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.

March 2, 2015 Trial Date. (*The February 17, 2015 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
Brody Deposition Services
Priority One