

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

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| AMANDA CLINTON,<br><br><i>Plaintiff(s),</i><br><br>vs.<br><br>AVON PRODUCTS INC., et al<br><br><i>Defendant(s).</i> |
|---|

**Docket No:** L-2337-19 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER II**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on November 22, 2019:

| <b>FIRM</b>        | <b>ATTORNEY</b>       | <b>CLIENT</b>  |
|--------------------|-----------------------|--|
| Simon Greenstone   | Joseph J. Mandia      | Plaintiff(s) <i>co-counsel with Szaferman Lakind</i> |
| Foley & Mansfield  | Madelyn Iulo          | Avon Products, Inc.                                  |
| McCarter & English | Amanda Munsu          | Johnson & Johnson                                    |
| McGivney Kluger    | Pooja Patel           | Whittaker Clark & Daniels                            |
| Rawle & Henderson  | Sebastian Goldstein   | Cyprus Mines Corp.                                   |
| Reilly McDevitt    | Karen Stanzione Conte | Charles B. Chrystal Co.                              |

IT IS on this 25<sup>th</sup> day of November 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*.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

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**

December 20, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

December 20, 2019 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

February 7, 2020 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.

February 7, 2020 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

March 6, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

### **MEDICAL EXPERT REPORT**

March 6, 2020 Plaintiff shall serve medical expert report by this date.

May 29, 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**

April 3, 2020 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

May 29, 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**

May 29, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

June 12, 2020 Summary judgment motions shall be filed no later than this date.

July 10, 2020 Last return date for summary judgment motions.

### **ECONOMIST EXPERT REPORTS**

April 3, 2020 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.

May 29, 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**

July 31, 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**

March 18, 2020 @ 10:00am      The Status Conference previously scheduled on this date is **cancelled**.

July 30, 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.

August 24, 2020                  Trial Date. (*The April 20, 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