

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

**Docket No:** L-6392-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER III**

JUDITH COVIL,  vs.  AVON PRODUCTS INC., et al	<i>Plaintiff(s),</i>    <i>Defendant(s),</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on September 26, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Brendan Little	Plaintiff(s)
Jones Law Office	Richard V. Jones	Metropolitan Life
McCarter & English	Jean Patterson	Johnson & Johnson; Johnson & Johnson Consumer
McGivney Kluger	Joel Clark	Whittaker Clark & Daniels
Rivkin Radler	Brian R. Ade	Avon Products, Inc.; Helen of Troy

IT IS on this 1<sup>st</sup> day of **October, 2018**, *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**

October 12, 2018 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 19, 2018 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

January 11, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

November 9, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 23, 2018 Summary judgment motions shall be filed no later than this date.

December 21, 2018 Last return date for summary judgment motions.

### MEDICAL DEFENSE

- November 2, 2018 Plaintiff shall serve medical expert reports by this date.
- January 11, 2019 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 2, 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.
- January 11, 2019 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 2, 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.
- January 11, 2019 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

- February 8, 2019 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 13, 2018 The settlement conference previously scheduled on this date is **cancelled**.
- To be scheduled Settlement conference.
- February 25, 2019 Pretrial Information Exchange submissions due.
- March 4, 2019 Trial-Ready Date. (*The February 11, 2019 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