

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

**Docket No:** L-4806-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER II**

LOUIS & BARBARA DeFEO, <i>Plaintiff(s),</i>
vs.
3M COMPANY, 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 *February 23, 2018*:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Hoagland Longo	Daniel Kuszmanski	Whittaker Clark & Daniels
Kent & McBride	Bradley Lawrence	MSA; Charles Wagner
O'Toole Scrivo	Joshua Lichtenstein	Vanderbilt

IT IS on this 27<sup>th</sup> day of **February, 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**

March 30, 2018          Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

May 18, 2018          Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

March 30, 2018          Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 13, 2018          Summary judgment motions shall be filed no later than this date.

May 11, 2018          Last return date for summary judgment motions.

**MEDICAL DEFENSE**

April 3, 2018          Plaintiff shall serve medical expert reports by this date.

June 15, 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**

April 3, 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.

June 15, 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**

April 3, 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.

June 15, 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**

July 3, 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**

May 10, 2018 The settlement conference previously scheduled on this date is **cancelled**.

June 21, 2018 @ 1:30pm 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. **(Please note date change from date given at the conference.)**

July 23, 2018 Pretrial Information Exchange submissions due.

July 30, 2018 Trial-Ready Date. *(The June 18, 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