

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

Docket No: L-3835-13 (AS)

Civil Action

CASE MANAGEMENT ORDER I

<p>RONALD & ANNETTE DOUGLAS,</p> <p style="text-align: center;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>ALCATEL LUCENT USA, INC., et al</p> <p style="text-align: center;"><i>Defendant(s).</i></p>
--

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on September 30, 2013:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Lisa Massimi	Union Carbide; GPU Nuclear; Certainteed; JCP&L; Exelon
Connell Foley	Timothy Corrison	August Arace
Day Pitney	Marc D. Crowley	MRC Holdings, Inc.
Edwards Wildman	Gerard Abate	Alcatel-Lucent USA, Inc.
Landman Corsi	Elissa Denniston	Anheuser-Busch Inc.
LeClair Ryan	Michael Goldklang	Ford
Lynch Daskal	Cynthia Lee	Georgia Pacific
Margolis Edelstein	Dawn Dezii	Central Jersey Supply; Passaic Metal Products
Maron Marvel	Meryl Topchik	Industrial Holdings Corp.
McElroy Deutsch	Gabriel Ferstendig	Exxon Mobil Corp.
O'Toole Fernandez	Gary Van Lieu	Colgate
Porzio Bromberg <i>(on behalf of Riker Danzig)</i>	Christopher DePhillips	AT&T
Porzio Bromberg	Jeffrey Pypcznski	Cytec Industries Inc.
Speziali Greenwald <i>(on behalf of Sedgwick)</i>	Joanne Hawkins	Foster Wheeler
Tierney Law Office	Todd Arno	Elizabeth Industrial
Wilbraham Lawler	Andrea Greco	Karnak; PSE&G; Exelon
Wilson Elser	Eric Evans	Prudential
Wilson Elser	Emily Weisslitz	Ductmate

IT IS on this 7th day of **October, 2013** *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 plaintiffs' 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.

DISCOVERY

- | | |
|-------------------|---|
| October 18, 2013 | Defendants shall serve answers to standard interrogatories by this date. |
| November 29, 2013 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| December 31, 2013 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| November 29, 2013 | Defendants shall propound supplemental interrogatories and document requests by this date. |
| December 31, 2013 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date. |
| December 31, 2013 | Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date. |
| January 31, 2014 | 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. |
| January 31, 2014 | Depositions of corporate representatives shall be completed by this date. |

EARLY SETTLEMENT

- | | |
|----------------|--|
| April 25, 2014 | Settlement demands shall be served on all counsel and the Special Master by this date. |
|----------------|--|

SUMMARY JUDGMENT MOTION PRACTICE

- | | |
|----------------|---|
| March 14, 2014 | Summary judgment motions limited to product identification issues shall be filed no later than this date. |
| April 11, 2014 | Last return date for product identification summary judgment motions. |

MEDICAL DEFENSE

- October 18, 2013 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.
- March 28, 2014 Plaintiff shall serve additional medical expert reports by this date.
- April 30, 2014 The defense medical examination of plaintiff(s) shall be completed by this date.
- May 30, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

- April 30, 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.
- May 30, 2014 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.
- June 27, 2014 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

- April 30, 2014 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 30, 2014 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

- June 20, 2014 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

June 4, 2014 @ 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.

June 30, 2014 Trial Date.

Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Vincent Le Blon
VINCENT Le BLON, J.S.C.

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One