

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

Docket No: L-1951-14 (AS)

Civil Action

CASE MANAGEMENT ORDER II

ROBERT & JOAN DUDASH, <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 November 5, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	William Kuzmin	Plaintiff(s)
Caruso Smith	Alexandra Caruso	Union Carbide; CertainTeed
Goldfein & Joseph	Madhurika Jeremiah	ACL; Bell
Lavin O'Neil	Donna Candelora	3M Co.
McElroy Deutsch	Joseph D. Rasnek	Chevron USA, Inc.
McGivney Kluger	Nancy Giacumbo	Hollingsworth & Vose

IT IS on this 6th day of November, 2015, *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

January 15, 2016 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 29, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

February 1, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- February 5, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- February 19, 2016 Summary judgment motions shall be filed no later than this date.
- March 18, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

- November 30, 2015 Plaintiff shall serve executed medical authorizations for the release of pathology by this date.
- April 15, 2016 Defendants shall identify its medical experts and serve medical expert 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

- February 8, 2016 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.
- April 15, 2016 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

- February 8, 2016 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.
- April 15, 2016 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

- May 6, 2016 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 18, 2016 The settlement conference previously scheduled on this date is **cancelled**.

April 26, 2016 @ 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.

May 23, 2016

Trial Date. (*The March 7, 2016 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