

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

**Docket No: L-5741-14 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER II**

PHILIP & DOROTHY DUJNIC, <i>Plaintiff(s),</i>
vs.
AT&T CORP., 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 September 3, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Dennis M. Geier	Plaintiff(s)
Locke Lord	Aileen E. McTiernan	Alcatel-Lucent
Gibbons	Christopher P. DePhillips	AT&T

IT IS on this 4<sup>th</sup> day of Septmber, 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**

December 4, 2015 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 8, 2016 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

January 15, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

January 8, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 22, 2016 Summary judgment motions shall be filed no later than this date.

February 19, 2016 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

September 30, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

February 29, 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**

January 15, 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.

February 29, 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**

January 15, 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.

February 29, 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**

March 18, 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**

November 12, 2015 The settlement conference previously scheduled on this date is **cancelled**.

March 3, 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.

10 business days prior to trial      Pretrial Information Exchange.

April 11, 2016      Trial-Ready Date. (*The December 7, 2015 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