

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

**Docket No: L-3751-12 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER III**

NORMA DWYER (Estate of JOHN DWYER),	
	<i>Plaintiff(s),</i>
vs.	
3M COMPANY, INC., et al	
	<i>Defendant(s).</i>

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on May 30, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Nicholas Albano III	CertainTeed; Union Carbide; JCP&L
Condon & Forsyth	Justin Schmidt	Resco Holdings
Connell Foley	Angela Iuso	PSE&G
Epstein Cohen Gilberti	Sandra Cohen	Crane Co.
Goldberg Segalla	H. Lockwood Miller	P&G Manufacturing
Hoagland Longo	Steven Satz	Goulds Pumps
Hollstein Keating	Nancy Green	CBI
Landman Corsi	Elissa Denniston	Anheuser Busch; Bechtel
Lavin O'Neil Ricci	Cathering Brunermer LaWanda D. White	3M Co. Verizon, NJ
Littleton Joyce	Jason Schmitz	BASF Catalysts
Marin Goodman	Fred Goodman	Fluor
Maron Marvel	Mark G. Lionetti	Atlantic Richfield Co.
McElroy Deutsch	Joseph D. Rasnek	Exxon Mobil; Chevron
Porzio Bromberg	Michelle Burke	DuPont
Reilly Janiczek	Steven A. Jenks Jr.	ITT; Cleaver Brooks
Speziali Greenwald	Joanne Hawkins	General Electric; CBS; Foster Wheeler
Wilson Elser	Joseph Hanlon	Shell Oil Co.

IT IS on this 3<sup>rd</sup> day of June, 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.

## **DISCOVERY**

- June 14, 2013 Plaintiff shall provide answers to standard interrogatories and all prior discovery to all new defendants by this date.
- July 19, 2013 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- July 19, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- September 30, 2013 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 31, 2013 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

- October 2, 2013 The settlement conference previously scheduled on this date is **CANCELLED**.
- November 1, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.
- November 15, 2013 The settlement conference previously scheduled on this date is **CANCELLED**.

## **SUMMARY JUDGMENT MOTION PRACTICE**

- November 22, 2013 Summary judgment motions limited to product identification issues shall be filed no later than this date.
- December 20, 2013 Last return date for product identification summary judgment motions.

## **MEDICAL DEFENSE**

- October 31, 2013 Plaintiff shall serve additional medical expert reports by this date.
- January 31, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

## **LIABILITY EXPERT REPORTS**

- November 29, 2013 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 31, 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.

February 22, 2014 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

**ECONOMIST EXPERT REPORTS**

November 29, 2013 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 31, 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**

March 7, 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**

January 22, 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.

March 17, 2014 Trial Date. *(The December 2, 2013 trial is adjourned to this 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: counsel:  
Goldfein & Joseph  
Kent McBride  
cc: Clerk, Mass Tort  
Brody Deposition Services  
Priority One