

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

Docket No: L-3751-12 (AS)

Civil Action

CASE MANAGEMENT ORDER VII

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 before Special Master Agatha N. Dzikiewicz and the following parties on May 12, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Keven Friedman	Plaintiff(s)
Bucca & Campisano	Benjamin Bucca Jr.	IMO
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide; JCP&L
Condon & Forsyth	Marissa Leland	Resco Holdings
Connell Foley	Christopher Abatemarco	Public Service
Darcambal Ousley	Nada Peters	Kraft/Mondelez
Drinker Biddle	Julie Tersigni	American Optical
Goldberg Segalla		P&G Manufacturing
Hoagland Longo	Daniel Kuszmerski	Goulds Pumps
Kent McBride	Ravi Shah	Alfa Laval
Landman Corsi	Natsayi Mawere	Anheuser Busch; Sequoia Ventures Inc.
Lavin O'Neil	Edward Finch	Verizon New Jersey
Littleton Joyce	Katherine Blok Galdieri	BASF Catalysts
Marin Goodman	Rodrigo Armand, Jr.	Fluor
Marks O'Neill	Sebastian A. Goldstein	JCP&L
McElroy Deutsch	Gabriel Ferstendig	Exxon Mobil; Chevron
McGivney Kluger	Joel Clark	JW Wallace
Porzio Bromberg	Pamela Kaplan	DuPont
Reilly Janiczek	Edward Henry	ITT; Cleaver Brooks
Sedgwick	Christopher Keale	General Electric; CBS; Foster Wheeler
Weiner Lesniak	Edward Seaver	Merck
Wilson Elser	Joseph Hanlon	Shell Oil Co.

IT IS on this 18th day of May, 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

September 15, 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.

October 15, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

October 23, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

November 6, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 20, 2015 Summary judgment motions shall be filed no later than this date.

December 18, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

September 30, 2015 Plaintiff shall serve medical expert reports by this date.

January 29, 2016 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

February 19, 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.

March 21, 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.

April 18, 2016 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

- February 19, 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.
- March 21, 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 13, 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

- September 1, 2015 The settlement conference previously scheduled on this date is **cancelled**.
- May 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.
- May 30, 2016 Trial Date. (*The September 28, 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
Brody Deposition Services
Priority One