

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

Docket No: L-3751-12 (AS)

Civil Action

CASE MANAGEMENT ORDER IX

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| NORMA DWYER (Estate of JOHN DWYER), vs. 3M COMPANY, INC., et al | <i>Plaintiff(s),</i> <i>Defendant(s).</i> |
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on *January 15, 2016*:

| FIRM | ATTORNEY | CLIENT |
|-------------------------|---------------------|---------------------------------------|
| Cohen Placitella & Roth | William L. Kuzmin | Plaintiff(s) |
| Bucca & Campisano | Benjamin Bucca, Jr. | IMO |
| Condon & Forsyth | Marissa Lefland | Resco Holdings |
| Connell Foley | Scott Press | Public Service |
| Darcambal Ousley | Nada Peters | Kraft/Mondelez |
| Drinker Biddle | Jack Frost | American Optical |
| Hoagland Longo | Steven Satz | Goulds Pumps |
| Kent McBride | Robert Florke | Alfa Laval |
| Landman Corsi | Jorkeell Echeverria | Anheuser Busch; Sequoia Ventures Inc. |
| Lavin O'Neil | Jake Yzzi | Verizon New Jersey |
| Littleton Joyce | Jason Schmitz | BASF Catalysts |
| Marin Goodman | Alexander Drago | Fluor |
| Marks O'Neil | Paul Smyth | JCP&L |
| McElroy Deutsch | Joseph D. Rasnek | Exxon Mobil; Chevron |
| McGivney Kluger | Joel Clark | JW Wallace |
| Porzio Bromberg | Pamela Kaplan | DuPont |
| Reilly Janiczek | Adrianna Exler | Cleaver Brooks |
| Spezialli Greenwald | Joanne Hawkins | General Electric; CBS; Foster Wheeler |
| Weiner Lesniak | Edward Seaver | Merck |
| Wilson Elser | | Shell Oil Co. |

IT IS on this 19th day of **January, 2016** 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

March 11, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

March 18, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

April 1, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 15, 2016 Summary judgment motions shall be filed no later than this date.

May 13, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

June 3, 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

April 1, 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.

June 3, 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.

June 30, 2016 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

April 1, 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.

June 3, 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

June 24, 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

April 8, 2016 The settlement conference previously scheduled on this date is **cancelled**.

June 15, 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.

July 18, 2016 Trial Date. (*The May 2, 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