

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

**Docket No: L-5750-13 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER II**

ROBERT ECRET, SR.	<i>Plaintiff(s),</i>
vs.	
ALCOA 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 January 12, 2017:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Napoli Shkolnik	Kardon Stolzman	Plaintiff(s)
Drinker Biddle	Jack N. Frost, Jr.	American Optical
Gibbons	Robert Brown	Yuba Heat Transfer; The Sherwin Williams Co.
Goldberg Segalla	David Rutkowski	McCord
Harris Beach	Jenna Murray	Saint Gobain Abrasives
Harwood Lloyd	Corey Zymet	Graham Corp.
Kent McBride	Theresa Mullaney	Charles Wagner; MSA
Landman Corsi	Natalie Garcia	Bechtel; Sequoia
Leader & Berkon	Christine Bucca	IMO Industries
Margolis Edelstein	Lawrence Bunis	John Crane, Inc.
Maron Marvel	Carolyn Williams	Keeler Dorr Oliver
Marshall Dennehey	Paul Johnson	Riley Stoker
Mayfield Turner	Adam Fogarty	Carrier Corp.
McElroy Deutsch	Stephanie Lopez	Flowserve US Inc.; Texaco
McGivney Kluger	Joel Clark	Homasote; DAP, Zurn
Sedgwick / Speziali	Christopher Keale Joanne Hawkins	Foster Wheeler; Borg Warner
Segal McCambridge	Joseph Gianetti	Curtis Wright; Mannington Mills
Troutman Sanders	Joanne Rogers	Sulzer
Wilbraham Lawler	Tristin Fabro	PSE&G Nuclear; Siemens Corp.

IT IS on this 17<sup>th</sup> day of January, 2017, 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**

April 3, 2017

Plaintiff shall propound supplemental interrogatories and document requests by this date.

May 5, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

April 3, 2017 Defendants shall propound supplemental interrogatories and document requests by this date.

May 5, 2017 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

July 28, 2017 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.

July 28, 2017 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

August 18, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

August 18, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

September 1, 2017 Summary judgment motions shall be filed no later than this date.

September 29, 2017 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

October 31, 2017 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**

August 11, 2017 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.

October 31, 2017 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**

August 11, 2017 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.

October 31, 2017 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**

November 22, 2017 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 1, 2017 @ 1:30pm 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.

December 11, 2017 Pretrial Information Exchange submissions due.

December 18, 2017 **Trial-Ready** 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