

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

**Docket No:** L-2313-18 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I  
AMENDED**

ROSARIO ESCOBAR,  vs.  AVON PRODUCTS, INC., et al	<i>Plaintiff(s),</i>   <i>Defendant(s).</i>
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*This matter having previously come in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on June 15, 2018:*

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
<i>Weitz &amp; Luxenberg</i>	<i>Robert Silverman</i>	<i>Plaintiff(s)</i>
<i>Drinker Biddle</i>	<i>Justin Ginter</i>	<i>Johnson &amp; Johnson; Johnson &amp; Johnson Consumer</i>
<i>Hoagland Longo</i>	<i>Andrew Kessler</i>	<i>Whittaker Clark &amp; Daniels</i>
<i>Jones Law Office</i>	<i>Richard V. Jones</i>	<i>Metropolitan Life</i>
<i>O'Toole Scrivo</i>	<i>Gary Van Lieu</i>	<i>Colgate Palmolive</i>
<i>Rawle &amp; Henderson</i>	<i>Sebastian Goldstein</i>	<i>Cyprus Amax Minerals; Imerys Talc America</i>

IT IS on this 14<sup>th</sup> day of **NOVEMBER, 2018**, that Case Management Order I is hereby

**AMENDED** as follows at the request of the parties:

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**

February 28, 2019 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.

February 28, 2019 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

April 26, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

- April 26, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- May 10, 2019 Summary judgment motions shall be filed no later than this date.
- June 7, 2019 Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

- April 30, 2019 Plaintiff shall serve medical expert reports by this date.
- June 21, 2019 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 30, 2019 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 21, 2019 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**

- April 30, 2019 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 21, 2019 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**

- July 15, 2019 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**

- March 1, 2019 The settlement conference previously scheduled on this date is **cancelled**.
- July 11, 2019 @ 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.

August 19, 2019

Pretrial Information Exchange submissions due.

August 26, 2019

Trial-Ready Date. (*The April 22, 2019 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