

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

Docket No: L-5366-17 (AS)

Civil Action

CASE MANAGEMENT ORDER I

RAUL ESTRADA HERNANDEZ and MODESTA ALVEREZ, <i>Plaintiff(s),</i> vs. AW CHESTERTON CO., 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 December 19, 2017:

FIRM	ATTORNEY	CLIENT
Simmons Hanly	Laurence Nassif Jim Kramer	Plaintiff(s)
Gibbons PC	Stephen Finley	Kerr Corp.
Leader & Berkon	Christine Bucca	IMO Ind.
Maron Marvel	Lina Carreras	Industrial Holdings
Marshall Dennehey	Paul Johnson	Riley Power
McCarter & English	Chris Rojao	Hercules
McElroy Deutsch	Charles Benjamin	Sprinkmann Sons
McGivney Kluger	Caitlin Bodtmann	Raritan Supply
McGowan Law Office	John McGowan	Sears
Pascarella DiVita	Joshua Greeley	Crane Co.; Trane US Inc.
Tanenbaum Keale	Maryam Meseha	Borg Warner; Foster Wheeler; CBS/Westinghouse

IT IS on this 4th day of **January, 2018**, 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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

February 5, 2018 Plaintiff shall serve answers to standard interrogatories.

February 26, 2018 Defendants shall serve answers to standard interrogatories by this date.

March 9, 2018 Plaintiff shall propound supplemental interrogatories and document requests by this date.

- April 13, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- March 9, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.
- April 13, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- July 16, 2018 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.
- September 17, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- September 28, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- November 2, 2018 Summary judgment motions shall be filed no later than this date.

- November 30, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

- February 5, 2018 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.
- February 5, 2018 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.
- December 31, 2018 Plaintiff shall serve medical expert reports by this date.
- February 22, 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

- December 31, 2018 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.
- February 22, 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.

EXPERT DEPOSITIONS

- March 22, 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

To be scheduled Settlement conference.

April 22, 2019 Trial 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