

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

Docket No: L-2310-15 (AS)

Civil Action

CASE MANAGEMENT ORDER V

<p>NANCY FARINELLA (Estate of CHARLES T. FARINELLA), <i>Plaintiff(s)</i>,</p> <p>vs.</p> <p>ADVANCE THERMAL HYDRONICS, INC., et al <i>Defendant(s)</i>.</p>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on September 26, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Brendan Little	Plaintiff(s)
Barry McTiernan Moore	Graham Gering	NJ Plumbing Group LLC d/b/a Blackman Plumbing Supply
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide
Clyde & Co.	Kevin Turbert	Burnham LLC; American Premier Underwriters
Day Pitney	Amberly Beye	Easco Boiler Corp.
Eckert Seamans	Michael A. Posavetz	AO Smith
Hoagland Longo	Ibrahim Kosoko	Flexible Technologies; Johnson Controls; Johnston Boiler; Roberts Gordon; Wallwork Bros.; York International
Landman Corsi	Jessica Lomia	ECR Corp.
Leader & Berkon	Christine Bucca	Spirax Sarco
Margolis Edelstein	Nicholas Sulpizio	Bergen Plumbing & Heating Supply
Marks O'Neill	Nicole Mulhern	Columbia Boiler
Mayfield Turner	Jessica S. O'Connor	Carrier
McCarter & English	Jean Patterson	Ensinger; Ashland Inc.; Hercules
McElroy Deutsch	Joseph D. Rasnek	Robert Shaw Controls
McGivney Kluger	Joel Clark Thomas McNulty	Pecora; JA Sexauer; Taco; Bonney Forge; DAP; Weil McLain; Nutley Heating
O'Toole Scrivo	Gary Van Lieu	Avocet
Pascarella DiVita	Stephanie DiVita	Trane; Crane Co.; Rheem Mfg. Co.
Reilly McDevitt	Zachary Green	Wymbs; Cleaver Brooks; SOS; Hilco; Benjamin Bros.; Plumbing Holdings
Troutman Sanders	Joanne P. Rogers	Advance Thermal Hydronics; Mestek; Reed National Financial Corp.
White & Williams	Philip Farinella	Bradford White Corp.
Wilbraham Lawler	Lynn E. Roberts, III	Silver Mason

IT IS on this 1st day of **October, 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.

DISCOVERY

- December 31, 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.
- January 31, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- May 10, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- March 15, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- March 29, 2019 Summary judgment motions shall be filed no later than this date.
- April 26, 2019 Last return date for summary judgment motions.

MEDICAL DEFENSE

- March 1, 2019 Plaintiff shall serve medical expert reports by this date.
- March 1, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- June 7, 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

- March 1, 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 7, 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

- March 1, 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 7, 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 3, 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.

August 5, 2019

Trial Date. *(The March 25, 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