

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

Docket No: L-8221-18 (AS)

Civil Action

CASE MANAGEMENT ORDER II

EPIFANIO FIGUEROA and BRUNILDA VILLAREAL, <i>Plaintiff(s),</i>
vs.
AMERICAN STERILIZER 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 July 17, 2019:

FIRM	ATTORNEY	CLIENT
Meiowitz & Wasserberg	Kush Shukla	Plaintiff(s)
Kelley Jasons	Robert T. Connor	Victaulic Co.
Margolis Edelstein	Jeanine D. Clark	John Crane Inc.
Maron Marvel	Lina C. Flanigan	Keeler /Dorr-Oliver Boiler Co.
McCarter & English	Amanda Munsie	Watts Water
McElroy Deutsch	Joseph D. Rasnek	Mueller Co, LLC; APV Crepaco Inc.
McGivney Kluger	Jeffrey Kluger	Roth Pump
McGivney Kluger	Kevin Hoffman	Gardner Denver; Mueller Steam Specialty Co.
Pascarella DiVita	John S. McCowan	Nibco
Reilly McDevitt	Adrianna Astringer	Roper Pump Co.; Aurora Pump Co.
Turner O'Mara	David J. Gallacher	Carrier Corp.
Wilbraham Lawler	Josette Spivak	Viking Pump; American Sterilizer

IT IS on this 17th day of **July 2019**, *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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

DISCOVERY

July 31, 2019 Defendants shall serve answers to standard interrogatories by this date.

July 31, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

- August 16, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date, if served by plaintiff on July 16, 2019.
- July 31, 2019 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- September 13, 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.
- September 13, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- August 16, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

- September 30, 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

- September 30, 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.

SUMMARY JUDGMENT MOTION PRACTICE

- September 13, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- September 27, 2019 Summary judgment motions shall be filed no later than this date.
- October 25, 2019 Last return date for summary judgment motions.

EXPERT DEPOSITIONS

- November 29, 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

- November 6, 2019 @ 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.
- December 13, 2019 @ 1:30pm Status Conference.

January 13, 2020

Trial Date. *(The December 2, 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