

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

Docket No: L-3174-13 (AS)

Civil Action

CASE MANAGEMENT ORDER VI

ESTATE of FRED FLAGG, <i>Plaintiff(s),</i> vs. HONEYWELL INTERNATIONAL 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 April 26, 2018:

FIRM	ATTORNEY	CLIENT
Shivers Gosnay & Greatrex	Donald Gosnay	Plaintiff(s)
Bonner Kiernan	Sheila King	Occidental Chemical Corp.; Olin Corp.
Eckert Seamans	Michael A. Pozavetz	AO Smith
Gibbons PC	Ethan Stein	Honeywell International Inc.
Hill Wallack	Josh Fischer	Hoeganaes Corp.
Kent McBride	Matt Forys	Alfa Laval
Margolis Edelstein	Jeff Hall-Gale	Polyone
McElroy Deutsch	Joseph D. Rasnek	ExxonMobil Corp.; Texaco Inc.
McGivney Kluger	Caitlin Bodtmann	Weil McLain; Campbell Soup; Brand Insulations
Pascarella DiVita	John S. McGowan	Ingersoll Rand
Porzio Bromberg	Tanya Y. Shah	DuPont
Reilly Janiczek	Joshua Sonstein	Cleaver Brooks, Inc.
Segal McCambridge	Alexander Schaffel	BW/IP
Slowinski Atkins	Angelo Cuonzo	Kindor Morgan
Tanenbaum Keale	Maryam Meseha	Borg Warner; Foster Wheeler
Wilbraham Lawler	Lynn E. Roberts, III	PSE&G; Exelon

IT IS on this 2nd day of May, 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

- September 28, 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 28, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

October 19, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

October 19, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

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

March 1, 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

January 15, 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.

March 1, 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

January 15, 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.

March 1, 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

March 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

September 18, 2018 The settlement conference previously scheduled on this date is **cancelled**.

March 14, 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. 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.

April 22, 2019

Trial Date. (*The October 15, 2018 trial is adjourned to this date.*)

Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Phillip L. Paley
PHILLIP L. PALEY, J.S.C.

cc: Clerk, Mass Tort