

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

**Docket No:** L-3376-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER V**

MARY FLETCHER (Estate of Gail Welch),  <i>Plaintiff(s),</i>  vs.  BRENNTAG NORTH AMERICA, INC., et al  <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 17, 2019:

FIRM	ATTORNEY	CLIENT
Simon Greenstone	Leah Kagan	Plaintiff(s) <i>co-counsel with Szaferman Lakind</i>
Manning Gross Massenberg	Lindsay Weiss Karina Murski	Chanel, Inc.
McCarter & English	Amanda M. Munsie	Johnson & Johnson; Johnson & Johnson Consumer
McGivney Kluger	Caitlin Bodtmann	Whittaker Clark & Daniels
Rawle Henderson	Samuel Garson	Cyprus Amax Minerals
Reilly McDevitt	Ryan Notarangelo	Charles B. Chrystal
Rivkin Radler	Brian R. Ade	Avon Products, Inc.

IT IS on this 18<sup>th</sup> day of April 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**

- May 17, 2019            Avon and Charles B. Chrystal shall serve answers to standard interrogatories by this date.
- May 3, 2019            Plaintiff shall propound supplemental interrogatories as to Avon and Charles B. Chrystal by this date.
- June 7, 2019           Avon and Charles B. Chrystal shall serve answers to plaintiff's supplemental interrogatories by this date.

May 3, 2019 Avon shall propound supplemental interrogatories by this date.

June 7, 2019 Plaintiff and co-defendants shall serve answers to supplemental interrogatories and document requests by Avon and Charles B. Chrystal by this date.

June 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.

July 31, 2019 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

September 13, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

### **MEDICAL EXPERT REPORT**

October 25, 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**

August 30, 2019 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

October 25, 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**

November 8, 2019 Summary judgment motions shall be filed no later than this date.

December 6, 2019 Last return date for summary judgment motions.

### **EXPERT DEPOSITIONS**

January 31, 2020 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**

October 29, 2019 The settlement conference previously scheduled on this date is **cancelled**.

January 31, 2020 @ 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.

March 2, 2020

Trial Date. (*The December 16, 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