

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

**Docket No: L-2374-15 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER I**

MICHAEL & DOROTHY GILL,  <i>Plaintiff(s),</i>  vs. ADVANCED THERMAL HYDRONICS 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 May 27, 2015:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph Mandia	Plaintiff(s)
Blank Rome	Adrienne Rogove	American Premier Underwriters, Inc.
Caruso Smith Picini	Joyce Min	CertainTeed; Union Carbide
Day Pitney LLP	Marc D. Crowley	AL Eastmond & Sons, Inc.; Easco Boiler Corp.
Hawkins Parnell	Edward P. Abbot	Oakfabco
Hoagland Longo	Anita Cohen	Flexible Technologies; <b>Wallwork Brothers;</b> <b>Lawrence Kantor; Johnston Boiler</b>
Kent McBride	Charles P. Savoth, III	ECT International
Lynch Daskal	Elissa D. Regev	Georgia Pacific
Margolis Edelstein	Dawn Dezii	Columbia Boiler; John Crane Inc.
Marshall Conway	Norman Golub	Slant/Fin Corp.
Marshall Dennehey	Jessica Wachstein	Kaiser Gypsum; Hanover Supply
Mayfield Turner	Jacob Crockett	Carrier
McElroy Deutsch	Andrew F. Bain	Burnham LLC
McGivney Kluger	Thomas McNulty	Weil McLain; Pecora
Montgomery Chapin Fetten	Thomas Walsh	JH France
Nowell Amoroso	Linda Dunne	United Supply
Pascarella DiVita	Brad Bishop	Trane; Crane
Reilly Janiczek	Mauro Murphy	Cleaver Brooks
Segal McCambridge	Dinesh Dadlani	Compudyne
Troutman Sanders	Joanne Rogers	Mestek, Inc.; Reed Financial
Wilbraham Lawler	Elizabeth deBerardinis	Dunphey Smith

IT IS on this 28<sup>th</sup> day of May, 2015, 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**

- June 12, 2015 Defendants shall serve answers to standard interrogatories by this date.
- June 19, 2015 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- July 17, 2015 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- June 19, 2015 Defendants shall propound supplemental interrogatories and document requests by this date.
- July 17, 2015 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- August 7, 2015 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.
- August 7, 2015 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- August 14, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- August 7, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- August 21, 2015 Summary judgment motions shall be filed no later than this date.
- September 18, 2015 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- August 7, 2015 Plaintiff shall serve medical expert reports by this date.
- October 7, 2015 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 7, 2015 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.

October 7, 2015 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**

August 7, 2015 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.

October 7, 2015 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**

October 30, 2015 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 18, 2015 @ 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.

10 business days prior to trial Pretrial Information Exchange Form.

December 7, 2015 Trial-Ready 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  
Brody Deposition Services  
Priority One