

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

**Docket No: L-4593-12 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER II**

THOMAS & DONNA GIOGLIO,
<i>Plaintiff(s),</i>
vs.
3M COMPANY, et al
<i>Defendant(s).</i>

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on June 11, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Levy Phillips & Konigsberg	David L. Henderson	Plaintiff(s)
Caruso Smith	Richard Picini	Union Carbide; CertainTeed
Connell Foley	Timothy Corrison	Henry Technologies
Eckert Seamans	David Katzenstein	Vermont Talc
Forman Perry	Madelyn Iulo	Ingersoll Rand Co.; Trane US Inc.; Cooper Ind.
Gibbons P.C.	Mark Galdieri	Honeywell
Gibobns P.C.	Alan Gries	Selby Battersby
Hoagland Longo	Matthew Cassidy	Goulds; Borg Warner; Burnham; ACME Eng.
Kelley Jasons	Angela Caliendo	FMC/Northern Pump
Lavin O'Neil	Catherine Brunermer	3M Company
Leader & Berkon	Joseph Fontak	IMO Industries; Spirax Sarco
Littleton Joyce	Jason Schmitz	BASF
Lynch Daskal	Ian S. Millican	Georgia Pacific
Margolis Edelstein	Ryan M. Kooi	John Crane; Columbia Boiler Co. of Pottstown
Marks O'Neill	Sebastian Goldstein	Whirlpool
Maron Marvel	Meryl Topchik	Industrial Holdings Corp.
Marshall Dennehey	Arthur Bromberg	NMBFIL Inc.
Mayfield Turner	Andrew Keith	Carrier
McCarter & English	Mitchell Kurtz	Hercules
McElroy Deutsch	Helen Antoniou McGowan	Eaton
McGivney Kluger	Joel Clark	Nash; Weil McLain; Taco; Gardner Denver; Duriron; Atwood; Morrill
Montgomery Chapin	Brandon Burke	JH France Refractories
O'Toole Fernandez	Jacqueline Nuttick	Dana
Porzio Bromberg	Christopher P. DePhillips	DuPont
Reilly Janiczek	James J. Horning	Aurora Pump; Cleaver Brooks; CR Daniels
Salmon Ricchezza	Zachary Ballard	AGCO
Wilbraham Lawler	Andrea Greco	Air & Liquid Systems Corp.
Wilson Elser	Emily Weisslitz	Warren Pumps

IT IS on this 14<sup>th</sup> day of June, 2013 *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 plaintiffs' 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**

July 12, 2013            Defendants shall serve answers to supplemental interrogatories and document requests by this date.

August 16, 2013        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 30, 2013        Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

September 6, 2013     Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

September 27, 2013    Summary judgment motions limited to product identification issues shall be filed no later than this date.

October 25, 2013        Last return date for product identification summary judgment motions.

### **MEDICAL DEFENSE**

November 22, 2013     Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

October 18, 2013        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.

November 22, 2013     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.

**EXPERT DEPOSITIONS**

December 20, 2013      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**

December 11, 2013 @ 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.

January 13, 2014      Trial Date. *(The June 24, 2013 trial is adjourned to this date.)*

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

*/s/ Vincent Le Blon*  
VINCENT Le BLON, J.S.C.

cc:      Clerk, Mass Tort  
         Brody Deposition Services  
         Priority One