

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

**Docket No:** L-583-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER II**

ESTATE of PAUL GLADSTONE, <i>Plaintiff(s),</i>
vs.
AIR & LIQUID SYSTEMS CORP., 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 *February 23, 2018*:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Caruso Smith Picini	Marcia DePolo	CertainTeed; Union Carbide
Gibbons PC	Robert Brown	Cemex Materials
Goldfein & Joseph	Madhurika Jeremiah	ACL; Bell
Jardim Meisner	Nancy Giacumbo	Hollingsworth & Vose
Jones Law Firm	Richard V. Jones	Metropolitan Life
Marshall Dennehey	Paul Johnson	Warren Pumps
Pascarella DiVita	Madelyn Iulo	Ingersoll Rand
Wilbraham Lawler	Matthew Jones	Air & Liquid Systems Corp.

IT IS on this 27<sup>th</sup> day of **February, 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**

- |                |  |
|----------------|--|
| March 30, 2018 | Plaintiff shall serve answers to wrongful death interrogatories by this date.                      |
| April 13, 2018 | Defendants shall serve answers to standard interrogatories by this date.                           |
| April 27, 2018 | Plaintiff shall propound supplemental interrogatories and document requests by this date.          |
| June 30, 2018  | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| April 27, 2018 | Defendants shall propound supplemental interrogatories and document requests by this date.         |
| June 30, 2018  | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.  |

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.

October 31, 2018 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

November 9, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

November 9, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 23, 2018 Summary judgment motions shall be filed no later than this date.

December 21, 2018 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

March 30, 2018 Plaintiff shall serve updated medical authorizations by this date.

October 31, 2018 Plaintiff shall serve medical expert reports by this date.

October 31, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

January 31, 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**

October 31, 2018 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.

January 31, 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**

October 31, 2018 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.

January 9, 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**

February 25, 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**

To be scheduled                  Settlement conference.

March 25, 2019                  Trial 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