

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

**Docket No:** L-1070-19 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

SUSAN GOULET (Estate of Normand Goulet),  <i>Plaintiff(s),</i>  vs.  AERCO INTERNATIONAL 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 November 6, 2019:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Meirowitz & Wasserman	Samuel Meirowitz	Plaintiff(s)
Bonner Kiernan	Sheila King	Wilt Industries
Caruso Smith	Alexandra Caruso	Union Carbide
Eckert Seamans	Christopher Bladel	Bethlehem Apparatus
Flaster Greenberg	Mitchell Kizner	DWK, Inc.; Kimble Chase Holding LLC
Hoagland Longo	Marc S. Gaffrey	Malacaster Bicknell of NJ (MBCO Holdings)
Lavin Cedrone	Donna Candelora	3M Company
Leader Berkon	Christine Bucca	IMO Industries
Marshall Dennehey	Paul Johnson	Thomas Scientific
Marshall Dennehey	Arthur Bromberg	Aerco Int'l.; BMCE Inc.
Swartz Campbell	Patrick Fitzmaurice	Wale Apparatus Co.
Tanenbaum Keale	Elizabeth Gee	Foster Wheeler; CBS Corp.; General Electric
Waltman & Reilly	William Reilly	NM Knight Co.

IT IS on this 7<sup>th</sup> day of **November 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.

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.

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**

- January 6, 2020 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- December 31, 2019 Defendants shall serve answers to standard interrogatories by this date.
- January 17, 2020 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- February 28, 2020 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- January 17, 2020 Defendants shall propound supplemental interrogatories and document requests by this date.
- February 28, 2020 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- May 29, 2020 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.
- May 29, 2020 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

- July 10, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

## **MEDICAL EXPERT REPORT**

- June 30, 2020 Plaintiff shall serve medical expert reports by this date.
- June 30, 2020 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- October 2, 2020 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**

- June 30, 2020 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 2, 2020 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**

- July 10, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- July 24, 2020 Summary judgment motions shall be filed no later than this date.
- August 21, 2020 Last return date for summary judgment motions.

**ECONOMIST EXPERT REPORTS**

- June 30, 2020            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 2, 2020        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 3, 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 22, 2020 @ 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.
- November 30, 2020        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