

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

ANITA & ALFRED GRABOWSKI, <i>Plaintiff(s),</i>
vs.
BRENNTAG NORTH AMERICA, et al <i>Defendant(s).</i>

**Docket No:** L-6805-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER II  
AMENDED**

*This matter having previously come in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on October 10, 2017 and counsel having consented to the following extensions:*

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
<i>Cohen Placitella &amp; Roth</i>	<i>Dennis Geier</i>	<i>Plaintiff(s)</i>
<i>Gori Julian</i>	<i>Samuel Elswick</i>	<i>Plaintiff(s) co-counsel</i>
<i>Caruso Smith</i>	<i>Lisa Massimi</i>	<i>Union Carbide</i>
<i>Drinker Biddle</i>	<i>Justin Ginter</i>	<i>Johnson &amp; Johnson; Johnson &amp; Johnson Consumers</i>
<i>Hoagland Longo</i>	<i>Daniel Kuszmerski</i>	<i>Whittaker Clark &amp; Daniels</i>
<i>O'Toole Scrivo</i>	<i>Leslie Lombardy</i>	<i>Colgate</i>
<i>Rawle &amp; Henderson</i>	<i>Christina Gonzales</i>	<i>Cyprus Amax Minerals; Imerys Talc America</i>

IT IS on this 21<sup>st</sup> day of November, 2017, that Case Management Order II is hereby

**AMENDED** 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.

**SUMMARY JUDGMENT MOTION PRACTICE**

- February 2, 2018      Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- February 16, 2018      Summary judgment motions shall be filed no later than this date.
- March 16, 2018      Last return date for summary judgment motions.

**MEDICAL DEFENSE**

- March 16, 2018      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**

- February 2, 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.
- March 16, 2018 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**

- January 5, 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.
- March 16, 2018 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**

- March 30, 2018 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**

- January 30, 2018 The settlement conference previously scheduled on this date is **cancelled**.
- March 23, 2018 @ 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.
- April 13, 2018 Pretrial Information Exchange submissions due.
- April 23, 2018 Trial-Ready Date. (*The February 26, 2018 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