

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

Docket No: L-2641-14 (AS)

Civil Action

CASE MANAGEMENT ORDER III

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| HAROLD BROWN, vs. CATERPILLAR, INC., et al | <i>Plaintiff(s),</i> <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 11, 2015*:

| FIRM | ATTORNEY | CLIENT |
|---------------------|---------------------|--|
| Levy Konigsberg | Leah Kagan | Plaintiff(s) |
| Caruso Smith Picini | Ronald Suss | Union Carbide |
| Goldberg Segalla | H. Lockwood Miller | McCord Corp. |
| Hoagland Longo | Jacob Grouser | Thul Auto Parts |
| Landman Corsi | Eric Vissichelli | Federal Mogul Asbestos Personal Injury Trust (Fel-Pro) |
| LeClair Ryan | Robyn Kalocsay | Ford |
| Marks O'Neill | Paul Smyth | Caterpillar |
| O'Toole Fernandez | Leslie Lombardy | Dana Co. |
| Pascarella DiVita | Joshua Greeley | Ingersoll Rand; Crane Co. |
| Rawle & Henderson | John McMeekin | Mack Trucks, Inc. |
| Segal McCambridge | Stephanie DeVos | Paccar Inc. |
| Wilbraham Lawler | John A. Fitzpatrick | Cummins |

IT IS on this 12th day of **February, 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.

MEDICAL DEFENSE

March 6, 2015

Defendants shall identify its medical experts and serve medical expert 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

March 27, 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.

EXPERT DEPOSITIONS

April 10, 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

March 11, 2015 The settlement conference previously scheduled on this date is **cancelled**.

April 1, 2015 @ 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.

10 days before trial Pretrial Information Exchange (and deadline for filing *in limine* motions.)

April 27, 2015 Trial-Ready Date. (*The March 30, 2015 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
 Brody Deposition Services
 Priority One