

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

Docket No: L-5924-13 (AS)

Civil Action

CASE MANAGEMENT ORDER II

JAMES J. HARLEY, JR., <i>Plaintiff(s),</i> vs. ABEX CORPORATION, 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 January 7, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Gibbons PC	Ethan Stein	Honeywell International Inc.
Harwood Lloyd	Russell Pepe	Carlisle
Hawkins Parnell	Edward P. Abbot	Pneumo Abex LLC
O'Toole Fernandez	Michael Garcia	Dana
Sedgwick Detert	David Blow	Borg Warner
Wilbraham Lawler	Andrea Greco	Kelsey-Hayes

IT IS on this 12th day of January, 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.

DISCOVERY

- | | |
|-------------------|----------------------------------------------------------------------------------------------------|
| January 30, 2015 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| February 27, 2015 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| January 30, 2015 | Defendants shall propound supplemental interrogatories and document requests by this date. |
| February 27, 2015 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date. |

March 31, 2015 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.

March 31, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

April 10, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

April 10, 2015 Summary judgment motions shall be filed no later than this date.

May 8, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

April 30, 2015 Plaintiff shall serve medical expert reports by this date.

June 19, 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

April 30, 2015 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.

June 19, 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

July 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

February 25, 2015 The settlement conference previously scheduled on this date is **cancelled**.

June 30, 2015 @ 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.

July 27, 2015

Trial Date. (*The March 23, 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