

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

ROCHELLE HATTER, <i>Plaintiff(s),</i> vs. CBS CORPORATION, et al <i>Defendant(s).</i>

Docket No: L-7855-18 (AS)

Civil Action

CASE MANAGEMENT ORDER II

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on June 7, 2019:

FIRM	ATTORNEY	CLIENT
Maune Raichle	Patrick Timmins	Plaintiff(s)
Budd Lerner	Terence W. Camp	The Goodyear Tire & Rubber Co.
Caruso Smith	Alexandra Caruso	Union Carbide; Metropolitan Life
Goldberg Segalla	Jessica Saad	Hyster Yale Group
Landman Corsi	Jessica Lomia	Sequoia Ventures; Linde LLC
Margolis Edelstein	Jeanine D. Clark	Central Jersey Supply; URS Energy & Construction
Marin Goodman	Fred Goodman	Fluor Daniel Illinois; Fluor Daniel Services
Marshall Dennehey	Arthur Bromberg	Aerco; Manitowoc
Marshall Dennehey	Paul Johnson	Riley Power
McGivney Kluger	Jeffrey Kluger Jennifer Hally Trish Wilson	Madsen & Howell; Gardner Denver; P&H Mining Equipment
Pascarella DiVita	Stephanie DiVita	Ingersoll Rand; Crane Co.; Wabco Holdings
Rawle & Henderson	Samuel Garson	Henkles & McCoy
Tanenbaum Keale	Afigo Fadahunsi	CBS Corp.; Foster Wheeler; General Electric Co.
Wilson Elser	Joseph Hanlon	Chevron USA, Inc.

IT IS on this **10th** day of **June 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.

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

August 30, 2019 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.

September 30, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

December 13, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

October 31, 2019 Plaintiff shall serve medical expert reports by this date.

October 31, 2019 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, 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

October 31, 2019 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

January 31, 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

October 22, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 8, 2019 Summary judgment motions shall be filed no later than this date.

December 6, 2019 Last return date for summary judgment motions.

ECONOMIST EXPERT REPORTS

October 31, 2019 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 31, 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

February 28, 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

November 7, 2019 The settlement conference previously scheduled on this date is **cancelled**.

February 13, 2020 @ 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.

March 16, 2020 Pretrial Information Exchange submissions due.

March 23, 2020 Trial-Ready Date. (*The December 9, 2019 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