

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

**Docket No:** L-3600-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER III**

MICHELE HOLLAND (Estate of Edward Prezwodek),  vs. ABB INC., et al	<i>Plaintiff(s),</i>   <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 March 8, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Forman Watkins	Thomas M. Toman, Jr.	Cooper Industries
Hoagland Longo	Marc S. Gaffrey	Westfield Plumbing
Kelley Jasons	Angela Caliendo	Schneider Electric f/k/a Square D
Littleton Park	Christine Emery	McMaster-Carr
Mandelbaum Salsburg	Mara P. Codey	Turtle & Hughes
Margolis Edelstein	Jeanine D. Clark	Woolsulate; Central Jersey Supply
Maron Marvel	Lina Carreras Flanigan	Keeler/Dorr-Oliver Boiler co.
Marshall Dennehey	Paul Johnson	Riley Power
McCullough Ginsberg	Jason Schmolze	Okonite
McGivney Kluger	Christopher M. Longo	Bergan Industrial; Madsen & Howell; Graybar Electric; Jewel Electric Supply; Griffith Electric Supply
Nowell	Linda Dunne	United Supply
O'Brien Firm	Jodie J. Farrow	ABB Inc.
Pascarella DiVita	Bradley E. Bishop	Ingersoll Rand
Porzio Bromberg	Tanya Y. Shah	Wyeth Holdings, LLC
Reilly Janiczek	Zachery Green	Gould Electronics Inc., Samson Electrical Supply; E.W. Berger
Tanenbaum Keale	Afigo Fadahunsi	CBS/ Westinghouse, Wesco, Foster Wheeler; General Electric
Wilbraham Lawler	Matthew Jones	South Amboy Supply

IT IS on this 12<sup>th</sup> day of March, 2018, 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**

July 6, 2018 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.

July 6, 2018 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

August 17, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

August 17, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

August 31, 2018 Summary judgment motions shall be filed no later than this date.

September 28, 2018 Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

July 31, 2018 Plaintiff shall serve medical expert reports by this date.

July 31, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

November 2, 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**

July 31, 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.

November 2, 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**

July 31, 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.

November 2, 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**

December 14, 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**

August 1, 2018                      The settlement conference previously scheduled on this date is **cancelled**.

December 13, 2018 @ 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.

January 28, 2019                      Trial Date. (*The August 20, 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