

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

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

**Civil Action**

**CASE MANAGEMENT ORDER V**

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 November 27, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Brendan Little	Plaintiff(s)
Forman Watkins	Thomas M. Toman, Jr.	Cooper Industries
Hoagland Longo	Ibrahim Kosoko	Westfield Plumbing
Kelley Jasons	Angela Caliendo	Square D, n/k/a Schneider Electric USA
Littleton Park	Christine Emery	McMaster-Carr
Mandelbaum Salsburg	Nicholas Waltman	Turtle & Hughes
Margolis Edelstein	Nicholas Sulpizio	Woolsulate; Central Jersey Supply
Maron Marvel	Lina c. Flanigan	Keeler/Dorr-Oliver Boiler co.
Marshall Dennehey	Paul Johnson	Riley Power
McCullough Ginsberg	Jason Schmolze	Okonite
McElroy Deutsch	Nancy McDonald	Eaton Corp.; Rockwell Automation
McGivney Kluger	Thomas McNulty Pooja Patel	Bergan Industrial; Madsen & Howell; Graybar Electric; Jewel Electric Supply; Griffith Electric Supply
Nowell PA	Linda Dunne	United Supply
O'Toole Scrivo	Gary Van Lieu	W.A. Birdsall & Co.
Pascarella DiVita	Madelyn Iulo	Ingersoll Rand
Porzio Bromberg	Michelle Burke	Wyeth Holdings, LLC
Reilly McDevitt	Ryan Notarangelo	Gould Electronics Inc., Samson Electrical Supply; E.W. Berger
Speziali Greenwald	Joanne Hawkins	General Electric
Tanenbaum Keale	Afigo Fadahunsi	CBS Corp.; Foster Wheeler; Wesco
Tierney Law Office	Mark Turner	Elizabeth Ind.
Wilbraham Lawler	Anisha Abraham	South Amboy Supply

IT IS on this 28<sup>th</sup> day of November, 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**

- February 28, 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.
- February 28, 2019 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- June 28, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- May 10, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- May 24, 2019 Summary judgment motions shall be filed no later than this date.
- June 21, 2019 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- April 18, 2019 Plaintiff shall serve medical expert reports by this date.
- April 18, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- July 31, 2019 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**

- April 18, 2019 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.
- July 31, 2019 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**

- April 18, 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.
- July 31, 2019 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**

August 30, 2019            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**

April 30, 2019            The settlement conference previously scheduled on this date is **cancelled**.

To be scheduled            Settlement conference.

September 30, 2019        Trial Date. *(The June 3, 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