

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

STEPHEN & WANDA HORROCKS, <i>Plaintiff(s),</i>
vs.
3M COMPANY, et al <i>Defendant(s).</i>

**Docket No:** L-1922-19 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on May 21, 2019:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Lisa Massimi	Union Carbide; CertainTeed
Harris Beach	David Kochman	Hubbell Lighting
Kelley Jasons	Angela Caliendo	Square D
Lavin Cedrone	Catherine Brunermer	3M Company
Lowenstein Sandler	Naomi Barrowclough	Bristol-Myers Squibb Co.
McElroy Deutsch	Nancy McDonald	Pfizer
Millet & Associates	Richard Millet	NL Industries
Segal McCambridge	Alexander Schaffel	Ball Corp. (Rexam Beverage)
Tanenbaum Keale	David Blow	CBS Corp.

IT IS on this 21<sup>st</sup> day of May 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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

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**

June 21, 2019            Plaintiff shall serve answers to wrongful death interrogatories by this date.

June 28, 2019            Defendants shall serve answers to standard interrogatories by this date.

July 12, 2019 Plaintiff shall propound supplemental interrogatories and document requests by this date.

August 16, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

July 12, 2019 Defendants shall propound supplemental interrogatories and document requests by this date.

August 16, 2019 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

September 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.

October 31, 2019 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

November 8, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

### **MEDICAL EXPERT REPORT**

June 21, 2019 Plaintiff shall serve executed medical authorizations by this date.

September 30, 2019 Plaintiff shall serve medical expert reports 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**

November 8, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 22, 2019 Summary judgment motions shall be filed no later than this date.

December 20, 2019 Last return date for summary judgment motions.

### **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**

February 20, 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 30, 2020 Trial 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