

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

Docket No: L-4648-13 (AS)

Civil Action

CASE MANAGEMENT ORDER IV

<p>JAMES & ELAINE HUDSON, <i>Plaintiff(s),</i></p> <p>vs.</p> <p>A&M WHOLESALE HARDWARE CO., et al <i>Defendant(s).</i></p>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 15, 2015:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon Kupilik	Plaintiff(s)
Baginski Mezzanotte	Patricia Lyons	Sherman & Chaplin
Barrett Lazar	Dale Hibbard	A&M Wholesale Hardware
Bucca Campisano	Benjamin Bucca Jr.	IMO
Caruso Smith Picini	Ronald S. Suss	Union Carbide
Connell Foley	Richard Jagen	August Arace & Sons
Day Pitney LLP	Benjamin E. Haglund	Phelps Dodge Ind.
Hack Piro	Robert Alencewicz	Johansen; HB Smith
Hardin Kundla	Nicea D'Annunzio	Calon
K&L Gates	Stacey Hyman	Bayer Cropscience Inc.
Kelley Jasons	Joseph Vassalotti	Ric Wil Inc.
Kent McBride	Ravi Shah	Binsky; TJ McGlone
Landman Corsi	Thomas DeFelice	Robert W. Johnson Medical Center
Langsam Stevens	Charles Adams	Zy-Tech Global
Margolis Edelstein	Ryan Buchanan	Ideal Supply; Woolsulate; Central Jersey
McElroy Deutsch	Michelle Hydrusdco	Foxboro
McGivney Kluger	Joel Clark	Raritan Supply; Bergen Ind.; Weil-McLain; Gorman Rupp
Methfessel & Werbel	Amanda Sawyer	St. Peters Hospital
Millet & Associates	Richard Millet	NL Industries
Norris McLaughlin	Martha Donovan	Rutgers
O'Brien Firm	Brian P. Lawlor	Grant Supply
Pepper Hamilton	Nicholas Kautletsis	Bristol Myers Squibb
Rawle & Henderson	David Samlin	Hajoca
Segal McCambridge	Joseph J. Gianetti	BW/IP
Swain & Westreich	Kenneth P. Wetreich	Dolan & Traynor
Tierney Law Office	Michael O'Neill	AJ Friedman; Elizabeth Industrial Supply; Major Inc.
Vasios Kelly	David W. Badie	Johnson & Johnson

IT IS on this 16th day of April, 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

- May 15, 2015 Third-party discovery shall be conducted by this date.
- June 12, 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.
- June 12, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- July 1, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.
- June 9, 2015 The early settlement conference previously scheduled on this date is **cancelled**.
- July 29, 2015 @ 9:30am Early 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.

SUMMARY JUDGMENT MOTION PRACTICE

- August 21, 2015 Summary judgment motions shall be filed no later than this date.
- September 18, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

- October 16, 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

- November 18, 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.
- December 18, 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.

ECONOMIST EXPERT REPORTS

- November 18 2015 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.
- December 18, 2015 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

- January 15, 2016 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

- October 8, 2015 The settlement conference previously scheduled on this date is **cancelled**.
- January 7, 2016 @ 9:30am 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.
- February 1, 2016 Trial Date. *(The November 2, 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