

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

**Docket No: L-4648-13 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER VII**

JAMES & ELAINE HUDSON, <i>Plaintiff(s),</i>  vs.  A&M WHOLESALE HARDWARE CO., et al <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 January 7, 2016:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon G. Kupilik	Plaintiff(s)
Baginski Mezzanotte	Erik Ortega	Sherman & Chaplin
Bucca Campisano	Benjamin Bucca, Jr.	IMO
Caruso Smith Picini	Ronald Suss	Union Carbide
Hardin Kundla	Nicea D'Annunzio	Calon
Kent McBride	David Rutkowski	Binsky; TJ McGlone
Landman Corsi	Joseph Tomaino	Robert W. Johnson Medical Center
Lynch Daskal	James R. Lynch	Gerard Packing & Belt Corp.
Margolis Edelstein	Dawn Dezii	Ideal Supply; Woolsulate; Central Jersey
Methfessel & Werbel	Amanda Sawyer	St. Peters Hospital
Norris McLaughlin	Martha Donoven	Rutgers
Swain & Westreich	Kenneth Westreich	Dolan & Traynor
Tierney Law Office	Kevin Buttery	AJ Friedman; Elizabeth Industrial Supply; Major Inc.

IT IS on this 7<sup>th</sup> day of **January, 2016** 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**

January 18, 2016      Raritan and Calon shall provide information regarding insurance by this date.  
January 29, 2016      Gerard Packing shall produce corporate witnesses for deposition by this date.  
February 8, 2016      St. Peters shall respond to request for production of documents by this date.

February 8, 2016 Union Carbide shall respond to the request for more specific responses to interrogatories and outstanding deposition notice propounded by Raritan Supply by this date.

February 8, 2016 Union Carbide shall serve answers to premises interrogatories by this date.

February 8, 2016 Union Carbide shall serve response to document production by this date.

February 8, 2016 Robert Wood Johnson shall respond to the request for more specific discovery and deposition notice propounded by Raritan Supply by this date.

February 8, 2016 Rutgers shall respond to deposition notice by this date.

February 29, 2016 Rutgers shall produce a corporate representative for a deposition by this date.

March 15, 2016 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.

March 15, 2016 Depositions of corporate representatives shall be completed by this date.

#### **SUMMARY JUDGMENT MOTION PRACTICE**

February 19, 2016 Summary judgment motion may be filed no later than this date by Gerard Packing only.

March 18, 2016 Last return date for summary judgment motion filed by Gerard Packing, if any.

#### **MEDICAL DEFENSE**

February 29, 2016 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**

March 31, 2016 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.

May 2, 2016 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**

March 31, 2016 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.

May 2, 2016 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**

May 20, 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**

April 1, 2016 The settlement conference previously scheduled on this date is **cancelled**.

April 12, 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.

May 24, 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.

June 13, 2016 Trial Date. *(The April 18, 2016 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