

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

**Docket No: L-4862-15 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER III**

ESTATE of MONIQUE HUG, <i>Plaintiff(s),</i>
vs.
BRENNTAG NORTH AMERICA INC., <i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on January 5, 2017:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Simon Greenstone	Leah Kagan	Plaintiff(s) <i>(co-counsel with Szaferman Lakind)</i>
Haworth Coleman	Dominique Romano	Loreal USA Inc.
Hoagland Longo	Daniel Kuzmerski	Whittaker Clark & Daniels
Hoagland Longo	Alyssa DeFuria	Unilever
McElroy Deutsch	Donna Gardiner	Pfizer; Coty
O'Toole Fernandez		Colgate-Palmolive
Reilly Janiczek	Brandy Harris	Charles B. Chrystal Co., Inc.
Rivkin Radler		Helen of Troy

IT IS on this 9<sup>th</sup> day of **January, 2017**, *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 6, 2017   | Plaintiff shall provide answers to standard interrogatories and all prior discovery to Charles B. Chrystal by this date. |
| January 31, 2017  | Charles B. Chrystal shall serve answers to standard interrogatories by this date.  |
| February 28, 2017 | As to Charles B. Chrystal, plaintiff shall propound supplemental interrogatories and document requests by this date.     |
| April 7, 2017     | Charles B. Chrystal shall serve answers to supplemental interrogatories and document requests by this date.              |
| February 28, 2017 | Charles B. Chrystal shall propound supplemental interrogatories and document requests by this date.                      |

- April 7, 2017 Plaintiff and co-defendants shall serve answers to supplemental interrogatories and document requests by this date.
- June 9, 2017 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 9, 2017 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- July 7, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- July 7, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- July 21, 2017 Summary judgment motions shall be filed no later than this date.
- August 18, 2017 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- July 7, 2017 Plaintiff shall serve amended medical expert reports by this date.
- October 31, 2017 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 7, 2017 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.
- October 31, 2017 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 7, 2017 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.
- October 31, 2017 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**

- November 30, 2017 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**

December 8, 2017 @ 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. 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 8, 2018 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