

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

Docket No: L-2077-15 (AS)

Civil Action

CASE MANAGEMENT ORDER IV

MARY HUGO, vs. BORG WARNER MORSE TEC, 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 March 1, 2016:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Amber Long	Plaintiff(s)
Caruso Smith Picini	Richard Picini	Union Carbide
Gibbons PC	Mark R. Galdieri	Honeywell International Inc.
Herzfeld & Rubin	David Goldman	Volkswagen Group of America, Inc.
Kaufman Borgeest	Bassel Bakhos	Morton International
Landman Corsi	Jorkeell Echeverria	Federal Mogul
O'Toole Fernandez	Gary Van Lieu	Dana
Pascarella DiVita	Madelyn Iulo	Ingersoll Rand; Crane
Sedgwick LLP	David Blow	Borg Warner; ExxonMobil Corp.
Wilbraham Lawler	Tristin Fabro	Kelsey-Hayes Co.

IT IS on this 2nd day of **March, 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

- July 1, 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.
- August 15, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

August 22, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

September 16, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

September 30, 2016 Summary judgment motions shall be filed no later than this date.

October 28, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

July 15, 2016 Plaintiff shall serve medical expert reports by this date.

December 2, 2016 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

September 16, 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.

December 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.

EXPERT DEPOSITIONS

January 13, 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

July 7, 2016 The settlement conference previously scheduled on this date is **cancelled**.

January 11, 2017 @ 1:30pm 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 6, 2017

Trial Date. *(The August 15, 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