

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

JOHNS MANVILLE III

DANYSH, *Vladimir* L-2518-14  
WUNDER L-1801-14  
TERRACCIANO L-680-14  
LESZCHYN L-998-14

Civil Action

**CASE MANAGEMENT ORDER II**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on January 29, 2015:

| FIRM                | ATTORNEY          | CLIENT                     |
|---------------------|-------------------|----------------------------|
| Levy Konigsberg     | Moshe Maimon      | Plaintiff(s)               |
| Caruso Smith Picini | Lisa Massimi      | Union Carbide; CertainTeed |
| Gibbons             | Mark R. Galdieri  | Honeywell                  |
| Hawkins Parnell     | Deena Crimaldi    | Abex                       |
| Hoagland Longo      | Daniel Kuzmerski  | Thul Auto Parts            |
| Jones Law Office    | Richard V. Jones  | Metropolitan Life          |
| Marshall Dennehey   | Douglas Suplee    | Pep Boys                   |
| McElroy Deutsch     | Michelle Hydrusko | Occidental Chemical Co.    |
| Weiner Lesniak      | Robert Ball       | Mitsui                     |

IT IS on this 2<sup>nd</sup> day of February, 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.

These matters are hereby consolidated for discovery, case management and trial.

**DISCOVERY**

March 20, 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.

March 20, 2015 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

February 27, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

### MEDICAL DEFENSE

- March 31, 2015           Plaintiff shall serve medical expert reports by this date.
- May 29, 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

- April 30, 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.
- May 29, 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.

### EXPERT DEPOSITIONS

- June 12, 2015           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

- June 4, 2015 @ 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.
- June 29, 2015           Trial Date. *(The February 17, 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