

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

JOHNS MANVILLE III

URBAN	L-3120-16
TABBIT	L-7132-16
MESSINGER	L-1968-17
SALKO	L-5848-17

Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 10, 2018:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	William L. Kuzmin	Plaintiff(s)
Napoli Shkolnik	Robert Gitelman	<i>Plaintiff(s) co-counsel for Salko</i>
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide
Goldfein & Joseph	Madhurika Jeremiah	ACL; Bell
Hoagland Longo	James Goodloe	Whittaker Clark & Daniels
Jardim Meisner	Nancy Giacumbo	Hollingsworth & Vose
Jones Law Office	Richard Jones	Metropolitan Life
Kent McBride	Matthew Forsys	Mine Safety Appliance
McElroy Deutsch	Michelle Hydrusko	Occidental Chemical

IT IS on this 12th day of April, 2018, *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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

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

DISCOVERY

May 4, 2018	Plaintiff shall serve answers to standard interrogatories.
May 4, 2018	Plaintiff shall serve answers to wrongful death interrogatories by this date.
May 14, 2018	Defendants shall serve answers to standard interrogatories by this date.
May 25, 2018	Plaintiff shall propound supplemental interrogatories and document requests by this date.

June 29, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

May 25, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.

June 29, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

August 3, 2018 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 3, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

August 3, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

August 3, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

August 17, 2018 Summary judgment motions shall be filed no later than this date.

September 14, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

May 4, 2018 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

May 4, 2018 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

August 3, 2018 Plaintiff shall serve medical expert reports by this date.

October 12, 2018 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

August 3, 2018 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 12, 2018 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

August 3, 2018 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 12, 2018 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 2, 2018 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 24, 2018 @ 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.

December 3, 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