

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 II

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on September 12, 2018:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	William L. Kuzmin	Plaintiff(s)
<i>Napoli Shkolnik</i>		<i>Plaintiff(s) co-counsel for Salko</i>
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide
Goldfein & Joseph	Madhurika Jeremiah	ACL; Bell
Jardim Meisner	Nancy Giacumbo	Hollingsworth & Vose
Jones Law Office	Richard V. Jones	Metropolitan Life
Kent McBride	Gregory Matarrese	Mine Safety Appliance
McElroy Deutsch	Joseph Rasnek	Occidental Chemical
Day Pitney	Alyssa Musmanno	
Weber Gallagher	Mark Heftler	Mitsui

IT IS on this 13th day of **September, 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.

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

DISCOVERY

March 15, 2019 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, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

May 31, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- May 31, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- June 14, 2019 Summary judgment motions shall be filed no later than this date.
- July 12, 2019 Last return date for summary judgment motions.

MEDICAL DEFENSE

- May 17, 2019 Plaintiff shall serve medical expert reports by this date.
- May 17, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- September 16, 2019 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

- May 17, 2019 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.
- September 16, 2019 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

- May 17, 2019 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.
- September 16, 2019 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

- October 18, 2019 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 The settlement conference previously scheduled on this date is **cancelled**.
- October 10, 2019 @ 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.

November 18, 2019

Trial Date. *(The December 3, 2018 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