

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

Docket No: L-6651-16 (AS)

Civil Action

CASE MANAGEMENT ORDER III

DWAYNE JOHNSON, <i>Plaintiff(s),</i>
vs.
AMERICAN INTERNATIONAL INDUSTRIES, et al <i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on October 13, 2017:

FIRM	ATTORNEY	CLIENT
Simon Greenstone	Leah Kagan	Plaintiff(s) <i>co-counsel with Szaferman Lakind</i>
Caruso Smith	Marcia DePolo	CertainTeed
Hawkins Parnell	Roy Viola	American International Inc.
Hoagland Longo	Daniel Kuzmerski	Whittaker Clark & Daniels
Montgomery McCracken	Ronald Hurst	Brenntag Specialties
O'Toole Scrivo	Leslie Lombardy	Colgate-Palmolive
Rawle & Henderson	Paul Smyth	Cyprus; Imerys Talc America
Rivkin Radler	Brian S. Schlosser	Avon Products Inc.
Wilbraham Lawler	Matthew Jones	Advance Auto Parts

IT IS on this 16th day of **October, 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

October 31, 2017 The deposition of Brenntag Specialties' corporate representative shall be conducted by this date. **(All documents shall be served at least one week prior to the corporate representative's deposition.)**

SUMMARY JUDGMENT MOTION PRACTICE

November 3, 2017 Brenntag Specialties may file a motion for summary judgment no later than this date.

December 1, 2017 Return date for summary judgment motions filed by Brenntag Specialties.

MEDICAL DEFENSE

November 20, 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

December 8, 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.

December 29, 2017 Defendant American International Inc. 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

December 8, 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.

December 29, 2017 Defendant American International Inc. 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

January 15, 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

November 8, 2017 The settlement conference previously scheduled on this date is **cancelled**.

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 29, 2018 Pretrial Information Exchange submissions due.

February 5, 2018 Trial-Ready Date. (*The December 4, 2017 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