

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

**Docket No:** L-2894-17(AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

RAYMOND KEATING,  <i>Plaintiff(s),</i>
vs.
AIR & LIQUID SYSTEMS CORP., 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 August 22, 2017:

FIRM	ATTORNEY	CLIENT
Belluck & Fox	James Long	Plaintiff(s)
Busch & Busch	Gregory Busch	Industrial Valve
Caruso Smith	Lisa Massimi	Union Carbide; CertainTeed
Connell Foley	Scott Press	Palermo Supply; Plibrico Sales & Service Co.
Cullen & Dykeman	Austin O'Malley	Howden Buffalo
Delany McBride	Ariana Seidel	Peerless Industries
Garrity Graham	Stephen Balsamo	United Conveyor Corp.
Hoagland Longo	Jillian Madison	York International; Frick Co.
Kelly Jasons	Angela Caliendo	Square D
Landman Corsi	Fay Szakal	ECR/Dunkirk
Leader & Berkon	Christine Bucca	Electrolux Home Products; Spirax Sarco
Margolsi Edelstein	Dawn Dezii	Woolsulate; Central Jersey Supply; Ideal Supply; Industrial Supply; Goodrich Corp.
Marshall Dennehey	Paul Johnson	Warren Pumps
Mayfield Turner	Sara Saltsman	Riggs Distler
McElroy Deutsch	Joseph D. Rasnek	Flowserve US Inc.; Asco Controls; Foxboro
McGivney Kluger	Caitlin Bodtmann  Thomas McNulty	Raritan Supply; Nash Engineering; Atwood & Morrill; Courter & Co.; Alltite Gasket Fairbanks; Weil McLain; Zurn; Gardner Denver; Ward Leonard Electric
Pascarella DiVita	Inge B. Cully	Crane Co.
Rawle & Henderson	Paul Smyth	American Biltrite; Hajoca
Reilly Janiczek	Zachary Green	Aurora Pump; Cleaver Brooks
Segal McCambridge	Nisha S. Lakhani	BW/IP
Tanenbaum Keale	Maryam Meseha	Borg Warner; CBS/Westinghouse; Foster Wheeler; General Electric; Research Cottrell
Vasios Kelly	Brooke Anderson	Armstrong International; Argo
Wilbraham Lawler	Tristin Fabro	Air & Liquid Systems; Greene Tweed; South Amboy Plumbing Supply

IT IS on this 23<sup>rd</sup> day of August, 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.

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.

### **DISCOVERY**

- September 8, 2017 Defendants shall serve answers to standard interrogatories by this date.
- September 15, 2017 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- October 16, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- September 15, 2017 Defendants shall propound supplemental interrogatories and document requests by this date.
- October 16, 2017 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- November 30, 2017 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.
- November 30, 2017 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- December 8, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- December 15, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- January 5, 2018 Summary judgment motions shall be filed no later than this date.
- February 2, 2018 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- January 12, 2018 Plaintiff shall serve medical expert reports by this date.
- January 12, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- March 2, 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**

- January 12, 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.
- March 2, 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.

## **EXPERT DEPOSITIONS**

- March 30, 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**

- April 6, 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.
- April 20, 2018      Pretrial Information Exchange submissions due.
- April 30, 2018      Trial-Ready 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