

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

Docket No: L-5165-16 (AS)

Civil Action

CASE MANAGEMENT ORDER II

GEORGE & ELLEN KESSLER, <i>Plaintiff(s),</i>
vs.
AUTOMOTIVE BRAKE CO., 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 September 14, 2017:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Abby Resnick Parigian	Plaintiff(s)
Gibbons PC	Daniel Dorfman	Honeywell International
Goldberg Segalla	David Rutkowski	McCord Corp.
Hawkins Parnell	Manuel Guevara	Pneumo Abex
LeClair Ryan	Christopher Warren	Ford
Tanenbaum Keale	Maryam Meseha	Borg Warner
Troutman Sanders	Joanne Rogers	Parker Hannifin
Wilbraham Lawler	Tristin Fabro	Kelsey Hayes

IT IS on this 15th day of **September, 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.

EARLY SETTLEMENT

October 10, 2017 @ 10:00am Early 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 5, 2017 @ 10:00am Early 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.

SUMMARY JUDGMENT MOTION PRACTICE

October 20, 2017 Summary judgment motions shall be filed no later than this date.

November 17, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

- September 29, 2017 **Plaintiff shall serve medical expert reports by this date.**
- November 10, 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 15, 2017 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.
- January 26, 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

- February 23, 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

- March 1, 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.
- March 9, 2018 Pretrial Information Exchange submissions due.
- March 19, 2018 **Trial-Ready Date.** (*The October 16, 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