

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

Docket No: L-2629-13 (AS)

Civil Action

CASE MANAGEMENT ORDER I

DAWN KLOOCK, (Estate of ARNOLD KLOOCK, <i>Plaintiff(s),</i> vs. CALON INSULATION, 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 May 12, 2015:

FIRM	ATTORNEY	CLIENT
Keefe Bartels	Jennifer Ruhl	Plaintiff(s)
Baginski Mezzanotte	Emily Fewell	HM Royal
Gibbons PC	Ethan Stein	Honeywell International
Gibbons PC	Christopher Basilo	Hoffman LaRoche Inc.
Hack Piro	Robert Alencewicz	Johanson; HB Smith
Hardin Kundla	Nicea D'Annunzio	Calon Insulation
Hoagland Longo	Daniel Kuszmerski	Superior Welding & Boiler
Margolis Edelstein	J. Edmund Bryak	Woolsulate
Marshall Dennehey	Doug Suplee	Riley Power
Mayfield Turner	Zoe Elfenbein	Clayburn Construction Corp.
McGivney Kluger	Joel Clark	Madsen & Howell; Herman Sommers
Porzio Bromberg	Michelle Burke	DuPont
Rawle Henderson	Linda Dobbins	Mack Trucks Inc.
Reilly Janiczek	Edward Henry	Cleaver Brooks; Miller & Chitty

IT IS on this 12th day of May, 2015, 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

- June 12, 2015 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- June 26, 2015 Defendants shall serve answers to standard interrogatories by this date.
- July 10, 2015 Plaintiff shall propound supplemental interrogatories and document requests by this date.

August 10, 2015 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

July 10, 2015 Defendants shall propound supplemental interrogatories and document requests by this date.

August 10, 2015 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

September 11, 2015 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.

September 11, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 18, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

December 16, 2015 @ 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

September 25, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

October 9, 2015 Summary judgment motions shall be filed no later than this date.

November 6, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

September 18, 2015 Plaintiff shall serve medical expert reports by this date.

September 18, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

December 31, 2015 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 4, 2015 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 11, 2016 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

December 4, 2015 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.

January 11, 2016 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

January 29, 2016 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

February 4, 2016 @ 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.

February 22, 2016 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
Brody Deposition Services
Priority One