

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

Docket No: L-2629-13 (AS)

Civil Action

CASE MANAGEMENT ORDER II

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 September 16, 2015:

FIRM	ATTORNEY	CLIENT
Keefe Bartels	Patrick Bartels	Plaintiff(s)
Baginski Mezzanotte	Patricia Lyons	HM Royal
Gibbons PC	Mark R. Galdieri	Honeywell International / Hoffman LaRoche Inc.
Hack Piro	Reiah Etwaroo	Johanson; HB Smith
Hardin Kundla	Nicea D'Annunzio	Calon Insulation
Hoagland Longo	Steven F. Satz	Superior Welding & Boiler
Margolis Edelstein	Justin M. Bettis	Woolsulate
Marks O'Neill	Sebastian Goldstein	Schwalje
Marshall Dennehey	Paul Johnson	Riley Power
Mayfield Turner	Zoe Elfenbein	Clayburn Construction Corp.
McElroy Deutsch	Michelle Hydrusko	ExxonMobil Corp.
McGivney Kluger	Thomas McNulty	Madsen & Howell; Herman Sommers
Montgomery Chapin	John Fetten	JH France
Montgomery McCracken	Ethan Hougah	Merck
Pascarella DiVita	Brad Bishop	Ingersoll Rand
Porzio Bromberg	Michelle Burke	DuPont
Rawle Henderson	Susan Riechelsohn	Mack Trucks Inc.
Reilly Janiczek	Maura Murphy	Cleaver Brooks; Miller & Chitty

IT IS on this 21st day of September, 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.

DISCOVERY

November 20, 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.

November 20, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 30, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

December 16, 2015 The early settlement conference previously scheduled on this date is **cancelled**.

*November 4, 2015 @ 10:15am 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. (***Please note change from date given at the conference.***)

SUMMARY JUDGMENT MOTION PRACTICE

December 18, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 8, 2016 Summary judgment motions shall be filed no later than this date.

February 5, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

November 20, 2015 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

March 18, 2016 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

March 11, 2016 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.

April 15, 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.

EXPERT DEPOSITIONS

April 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, 16, 2015

The settlement conference previously scheduled on this date is **cancelled**.

April 21, 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.

May 16, 2016

Trial Date. (*The February 22, 2016 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