

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

Docket No: L-5516-16 (AS)

Civil Action

CASE MANAGEMENT ORDER II

STEPHEN & CINDY KOPP, <i>Plaintiff(s),</i>
vs.
BRIDGESTONE FIRESTONE NORTH AMERICA TIRE, LLC, 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 February 7, 2017:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Amber Long	Plaintiff(s)
Archer & Greiner	William O’Kane	Bridgestone Firestone NA Tire
Breuninger & Fellman	Kathleen Ramalho	Genuine Parts Co.; National Automotive Parts Assoc.
Budd Lerner	Terence W. Camp	Goodyear Tire & Rubber Co.
Caruso Smith	Richard Picini	Union Carbide
Eckert Seamans	Elizabeth Weil	Navistar
Gibbons PC	Mark R. Galdieri	Honeywell International Inc.
Goldberg Segalla	H. Lockwood Miller	FCC North America Inc.
Greenbaum Rowe	Brian Kornbrek	American Honda Motor Co., Inc.; Nissin Brake Ohio
Hawkins Parnell	Elizabeth Turley	Pneumo Abex
Kaufmann Borgeest	Christopher Warren	Morton International
Lavin O’Neil	Kristen Mazzeo	Nissan North America, Inc.; Toyota Motor Sales, USA; Sumitomo Electric USA; Mazda Motor of America, Inc. d/b/a Mazda North American Operations
LeClair Ryan	John Soltesz	Ford
Margolis Edelstein	Jeanine D. Clark	Goodrich Corp.
McElroy Deutsch	Joseph D. Rasnek	ExxonMobil Corp.
McGivney Kluger	Joel Clark	ZF North America, Inc.
O’Toole Fernandez	Joshua Lichtenstein	Dana; Akebono Brake
Rawle & Henderson	John McMeekin	Hennessy
Tanenbaum Keale LLP	David Blow	Borg Warner
Troutman Sanders	Joanne P. Rogers	Standard Motor Products
Wilbraham Lawler	Matthew Jones	Kelsey Hayes, Maremont, Western Auto
Wilson Elser	Joseph Hanlon	Texaco

IT IS on this 10th day of February, 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

- March 7, 2017 A limited deposition of the plaintiff shall be conducted by this date. It shall be limited to a direct exam as to product identification by counsel representing defendants impleaded into this matter after the plaintiff's deposition was originally taken. In the event additional product identification testimony is elicited, other counsel may cross-examine plaintiff. In addition, any counsel may inquire as to plaintiff's health status.
- February 28, 2017 Defendants shall serve answers to standard interrogatories by this date.
- March 7, 2017 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- April 7, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- March 7, 2017 Defendants shall propound supplemental interrogatories and document requests by this date.
- April 7, 2017 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- May 5, 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.
- May 5, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- May 26, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- May 26, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- June 9, 2017 Summary judgment motions shall be filed no later than this date.
- July 7, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

- May 31, 2017 Plaintiff shall serve medical expert reports by this date.
- May 31, 2017 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- August 4, 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

- May 31, 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.
- August 4, 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.

EXPERT DEPOSITIONS

- August 31, 2017 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

- August 17, 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.
- September 18, 2017 Pretrial Information Exchange submissions due.
- September 25, 2017 **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