

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

HENRY W. LATTER, SR. and HENRY LATTER, JR.,

Plaintiff(s),

vs.

3M COMPANY, et al

Defendant(s).

Docket No: L-10370-08 (AS)

Civil Action

CASE MANAGEMENT ORDER IV

This matter coming on for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on June 21, 2010 and the following firms appearing:

Levy Phillips Konigsberg	John Guinan, Esq.	Plaintiff(s)
Breuninger & Fellman	Kathleen Romalho, Esq.	National Automotive Parts Assoc.
Caruso Pope	Marcia DePolo, Esq.	Union Carbide; CertainTeed
Coughlin Duffy	George Kelman, Esq.	Advance Stores
Drinker Biddle	Timothy Fraser, Esq.	The Glidden Co. d/b/a ICI Paints
Eckert Seamans	Mike Kinkipf, Esq.	CBS; Ford
German Gallagher	Tiffany Giangiulio, Esq.	CNH America
Gibbons	Mark R. Galdieri, Esq.	Honeywell
Hoagland Longo	Nora Grimbergen, Esq.	Borg Warner; Rockford
Margolis Edelstein	Dawn Dezii, Esq.	Goodrich
Marks O'Neill	Paul Smyth, Esq.	Georgia Pacific
Marshall Dennehey	Paul Johnson, Esq.	Pep Boys; Kaiser Gypsum
McElroy Deutsch	Christopher Bladel, Esq.	Eaton
McGivney Kluger	Joel Clark, Esq.	Dravo; Robert Bosch, LLC
O'Toole Fernandez	Bruce Braender, Esq.	Dana
Porzio Bromberg	Jeff Pypcznski, Esq.	DuPont
Rivkin Radler	Anita Cohen, Esq.	Setco
Segal McCambridge	David Kostus, Esq.	Clark Equipment
Smith Abbot	Mark Debrowski, Esq.	Pneumo Abex
Wilbraham Lawler	John A. Fitzpatrick, Esq.	Cummins Inc.

IT IS on this 22nd day of June, 2010 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

December 30, 2010 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.

December 30, 2010 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

January 14, 2011 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

February 4, 2011 Summary judgment motions limited to product identification issues shall be filed no later than this date.

March 4, 2011 Last return date for product identification summary judgment motions.

POST SUMMARY JUDGMENT SETTLEMENT CONFERENCE

July 21, 2010 The Settlement Conference previously scheduled on this date is **cancelled**.

CASE MANAGEMENT CONFERENCE

August 17, 2010 Case Management Conference previously scheduled on this date is **cancelled**.

MEDICAL DEFENSE

July 23, 2010 Defendants shall identify its medical experts and serve medical reports, if any, by this date.

LIABILITY EXPERT REPORTS

January 31, 2011 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 4, 2011 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.

PRE-TRIAL AND TRIAL

March 16, 2011 @ 1:30pm Final 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 4, 2011

Trial Date. (*The October 18, 2010 trial is adjourned to this date.*)

Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Ann G. McCormick
ANN G. McCORMICK, J.S.C.

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One