

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 VI

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on December 13, 2011 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Levy Phillips & Konigsberg	Nathaniel Falda	Plaintiff(s)
Breuninger & Fellman	Kathleen Ramalho	National Automotive Parts Assoc.
Coughlin Duffy	George Kelman	Advance Stores
Drinker Biddle	Vincent Montalto	The Glidden Co. d/b/a ICI Paints
German Gallagher	Matthew Rubba	CNH America
Gibbons	Ahmed J. Kassim	Honeywell
Goldberg Segalla	Bonnie Hanlon	Robert Bosch, LLC
Hoagland Longo	Shazia Dewit	Borg Warner
K&L Gates	Michael Waller	American Atlantic; Weeks Marine
Lynch Daskal	Ian S. Millican	Georgia Pacific
Margolis Edelstein	Lisa Only	Goodrich
Marshall Dennehey	Nadira Kirkland	Pep Boys; Kaiser Gypsum
McElroy Deutsch	Christopher Bladel	Eaton
McGivney Kluger	Caitlin Christie	Dravo
O'Toole Fernandez	Leslie Lombardy	Dana
Porzio Bromberg	Christopher DePhillips	DuPont
Rivkin Radler	Anita Cohen	Setco
Segal McCambridge	Mia Folger	Clark Equipment
Smith Abbot	Edward P. Abbot	Pneumo Abex
Wilbraham Lawler	Michael Block Jr.	Cummins Inc.

IT IS on this 14th day of December, 2011 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

- January 13, 2012 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- January 6, 2012 Defendants shall serve answers to standard interrogatories by this date.
- February 3, 2012 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- March 2, 2012 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- February 3, 2012 Defendants shall propound supplemental interrogatories and document requests by this date.
- March 2, 2012 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- April 30, 2012 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.
- April 30, 2012 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- May 11, 2012 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- May 18, 2012 Summary judgment motions limited to product identification issues shall be filed no later than this date.
- June 15, 2012 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

- July 6, 2012 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

- July 6, 2012 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

- June 1, 2012 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.
- July 6, 2012 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

- July 31, 2012 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

- July 12, 2012 @ 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.
- August 27, 2012 Trial Date. *(The January 30, 2012 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