

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

Docket No: L-6274-13 (AS)

Civil Action

CASE MANAGEMENT ORDER III

EMMA JEAN LETZGUS, (Estate of Don Letzgus), vs. ALFA LAVAL INC., et al	<i>Plaintiff(s),</i> <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 6, 2016:

FIRM	ATTORNEY	CLIENT
Shivers Gosnay & Greatrex	Donald Gosnay	Plaintiff(s)
Caruso Smith	Stacey Lee Trien	CertainTeed
Gibbons PC	Ethan Stein	Honeywell International Inc.
Kent McBride		Alfa Laval
McElroy Deutsch	Joseph E. Rasnek	ExxonMobil Corp.; Texaco Inc.
McGivney Kluger	Thomas McNulty	Brand Insualtion
Pascarella DiVita	Joshua Greeley	Ingersoll Rand
Porzio Bromberg	Michelle Burke	E.I. DuPont
Sedgwick LLP / Speziali	Joanne Hawkins	Foster Wheeler; General Electric
Wilbraham Lawler	Michelle Kirsch	PSE&G

IT IS on this 7th day of **July, 2016**, 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

- October 3, 2016 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- November 4, 2016 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- October 3, 2016 Defendants shall propound supplemental interrogatories and document requests by this date.

November 4, 2016 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

January 31, 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.

March 17, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

March 24, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

March 24, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 14, 2017 Summary judgment motions shall be filed no later than this date.

May 12, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

November 30, 2016 Plaintiff shall serve medical expert reports by this date.

November 30, 2016 **Upon request by defense counsel**, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

June 16, 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

June 16, 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.

July 17, 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.

ECONOMIST EXPERT REPORTS

June 16, 2017 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 17, 2017 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

August 4, 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

October 13, 2016 The settlement conference previously scheduled on this date is **cancelled**.

August 3, 2017 @ 1:30pm 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 28, 2017 Trial Date. *(The November 14, 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