

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

Docket No: L-6245-17 (AS)

Civil Action

CASE MANAGEMENT ORDER II

ESTATE of GEORGE LINK,	<i>Plaintiff(s),</i>
vs.	
ABB INC., 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 December 19, 2018:

FIRM	ATTORNEY	CLIENT
Maune Raichle	Patrick Timmins	Plaintiff(s)
Barry McTiernan Wedinger	Cara E. Manz	Fulton Boiler Works, Inc.
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.
Budd Larner	Terence W. Camp	Ericsson, Inc.
Caruso Smith	Nicholas Albano III	Union Carbide; CertainTeed
Clemente Mueller	Matthew Mueller	WM Powell Co.
Darger Errante	Jennifer Thompson	Lightolier; Peerless Lighting
Delany McBride	Sara Labashosky	Feldman Brothers Electric Supply; Peerless
Eckert Seamans	Michael A. Posavetz	AO Smith Water Products Co.
Gibbons PC	Phillip J. Duffy	Yuba Heat Transfer
Harris Beach	David Kochman	Progress Lighting Co.; Prescolite Inc.; Hubbell Power Systems
Hawkins Parnell	James Lee	O'Conner Constructors Inc.; Ericsson Inc.; Rockbestos
Hoagland Longo	Ibrahim Kosoko	Johnson Controls; Monarch Electric; Exteco; Warshaure Electric
Jones Law Office	Richard V. Jones	Metropolitan Life
Kelley Jasons	John Martin	Schneider Electric f/k/a Square D; FMC Corp (former Peerless Pump Co.)
Kent McBride	Gregory Mataprese	Mines Safety Appliances
Landman Corsi	Jessica Lomia	US Steel
Lavin O'Neil	Julianne Jayson	Mars, Incorp.
Leader & Berkon	Christine Bucca	IMO Ind.; Spirax Sarco
Littleton Park	Jason R. Schmitz	BASF
Margolis Edelstein	Nicholas Sulpizio	Beldon Wire & Cable; Alpha Wire; Aurora Electrical Supply; Newark Ironbound Electric Supply; Wayne Electrical Supply
Marin Goodman	Fred Goodman	Fluor
Maron Marvel	Lina C. Flanigan	Velan Valve Corp.
Marshall Dennehey	Paul Johnson	Riley Stoker; Warren Pumps; Cooper Industries; RSCC Wire & Cable; American Insulated Wire
McCullough Ginsberg	Jason Schmolze	Okonite Co.

McElroy Deutsch	Donna deBeth Gardiner	Burnham; Rockwell Automation; Cutler Hammer; Vulsub II (incorrectly sued as Tyco Valves)
McGivney Kluger	Caitlin Bodtmann	Jewel Electric; Griffith Electric; Weil McLain; Taco; Durametallic; Grundfos; CCX; Gardner Denver; Durion; Graybar; Marley Cooling; Good Friend Electric
O'Brien Firm	Jodie J. Farrow	ABB Inc.
O'Toole Scrivo	Gary Van Lieu	Swift Electrical; Cooper Electric; Hatzel & Buehler; Starwood Hotels & Resorts
Pascarella DiVita	Joshua Greeley	Ingersoll Rand; Trane Co.; Crane Co.; General Cable Co.
Rawle & Henderson	Samuel Garson	Billows Electric Supply
Reilly McDevitt	Michelle Cappuccio	Keer Electric; Aurora Pump; Cleaver Brooks; Samson Electrical; General Wire; Gould Electronics Inc.
Tanenbaum Keale	Afigo Fadahunsi	Borg Waner; Bryant Electric; CBS Corp.; Foster Wheeler
Wilbraham Lawler	Lynn Roberts Jason Harmon	Siemens Industry Inc.; Viking Pump PSEG

IT IS on this 20th day of **December, 2018**, *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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

DISCOVERY

- January 11, 2019 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- January 11, 2019 Defendants shall serve answers to standard interrogatories by this date.
- January 25, 2019 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- February 25, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- January 25, 2019 Defendants shall propound supplemental interrogatories and document requests by this date.
- February 25, 2019 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

April 30, 2019 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 17, 2019 Depositions of corporate representatives shall be completed by this date.

MEDICAL EXPERT REPORT

January 31, 2019 Plaintiff shall serve executed medical authorizations by this date.

May 31, 2019 Plaintiff shall serve medical expert reports by this date.

May 31, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

September 20, 2019 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, 2019 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

September 20, 2019 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.

SUMMARY JUDGMENT MOTION PRACTICE

June 14, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

June 28, 2019 Summary judgment motions shall be filed no later than this date.

July 26, 2019 Last return date for summary judgment motions.

SETTLEMENT

August 9, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

EXPERT DEPOSITIONS

October 18, 2019 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 17, 2019 @ 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.

November 18, 2019 Trial 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