

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

“LOCAL 475 STEAMFITTERS”

DAY L-7582-15
KOCH L-2117-17

Civil Action

CASE MANAGEMENT ORDER III

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on June 21, 2018:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Philip Tortoreti	Plaintiff(s)
Connell Foley	Richard Jagen	August Arace; Frank A. McBride; Lawton & Burns
Hack Piro	Robert Alencewiz	Johansen
Hoagland Longo	Jillian Madison	Airgas, individually a/s/f Jersey Welding Supply
Landman Corsi	Colin P. Be	Acme Plastering
Margolis Edelstein	Nicholas Solprizio	URS Energy & Construction; Woolsulate
Mayfield Turner	Joshua Locke	Riggs Distler
McGivney Kluger	Kevin Hoffman	Binsky & Snyder
Pascarella DiVita	Joshua Greeley	Ingersoll Rand; Crane Co.
Styliades Mezzanotte	Joan Mastronardi	Sherman & Chaplin
Tanenbaum Keale c/o Speziali Greenwald	Joanne Hawkins	CBS/Westinghouse

IT IS on this 22nd day of June, 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.

DISCOVERY

- July 31, 2018 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- August 31, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- July 31, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.
- August 31, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

September 28, 2018 Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date.

September 28, 2018 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.

September 28, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 28, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

September 28, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

October 12, 2018 Summary judgment motions shall be filed no later than this date.

November 9, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

July 31, 2018 Plaintiff shall serve medical expert reports by this date.

August 31, 2018 The defense medical examination of plaintiff(s) shall be completed by this date.

December 14, 2018 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

December 14, 2018 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.

January 18, 2019 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

EXPERT DEPOSITIONS

February 15, 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

November 1, 2018 The settlement conference previously scheduled on this date is **cancelled**.

January 30, 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. 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

March 11, 2019 Trial Date. (*The December 17, 2018 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