

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

**Docket No: L-4647-13 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER IV**

GEORGE MARRAPODI,
<i>Plaintiff(s),</i>
vs.
AJ FRIEDMAN SUPPLY CO., 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 July 18, 2014:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Lanier Law Firm	Darron Berquist	Plaintiff(s) Counsel <i>(co-counsel with Wilentz, Goldman &amp; Spitzer)</i>
Caruso Smith Picini	Ronald S. Suss	CertainTeed
Connell Foley	Timothy Corrison	August Arace; Lawton Burns
Gibbons PC	Robert Brown	Hoffmann-LaRoche
Hardin Kundla	Cynthia Lee	Continental Insurance
Hawkins Parnell	Roy Viola	Oakfabco Inc.; Pneumo Abex
Hoagland Longo	Steven F. Satz	Burnham
Hoagland Longo	Jason R. Gosnell	Johnson Controls Inc.; York International; Kohler Co.
Kent McBride	Ravi Shah	SOS Products Co., Inc.; ECR International Inc.; Binsky & Snyder
Leader Berkon LLP	Lynelle Maginley-Liddie	Maxxam Inc.; Federated
Littleton Joyce	Jason Schmitz	BASF Corp.
Marks O'Neill	Paul Smyth	Honeywell Inc.; Superior Boiler Works
McElroy Deutsch	Donna Gardiner	AO Smith; Pabst Brewing Co.
McGivney Kluger	Joel Clark Caitlin Christie	Sloan Valve; Weil McLain; Taco; Rainbird; Educational Testing Service; Wales-Darby
O'Toole Fernandez	Bruce Braender	Colgate Palmolive
Pascarella DiVita	Stephanie DiVita	Trane US, Inc.; Rheem Mfg.
Pepper Hamilton	John Brenner	Bristol Myers Squibb
Porzio Bromberg	Michelle Burke	Wyeth Holdings Corp.
Reinartz Law Firm	Richard Reinartz	McGraw Hill
Slowinski Atkins	Angela Cuonzo	Tenneco Inc.
Tierney Law Offices	Mark Turner	AJ Friedman Supply Co., Inc.
Vasios Kelly	Thomas J. Kelly, Jr.	Armstrong International; Ethicon; Johnson & Johnson
Waters McPherson	Nicholas I. Filocco	Turner Construction Co.
Wilbraham Lawler	Anisha S. Abraham	Unilever; Lennox Industries
Wilson Elser	Eric Evans	Prudential

IT IS on this 18<sup>th</sup> day of July, 2014 *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**

September 26, 2014 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.

October 30, 2014 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

September 24, 2014 The settlement conference previously scheduled on this date is **cancelled**.

September 26, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

November 7, 2014 Summary judgment motions shall be filed no later than this date

December 5, 2014 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

October 31, 2014 Defendants shall identify its medical experts and serve medical expert 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**

October 24, 2014 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.

November 28, 2014 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.

December 5, 2014 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

### **ECONOMIST EXPERT REPORTS**

- October 24, 2014 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.
- November 28, 2014 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**

- December 31, 2014 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**

- January 7, 2015 @ 9:30am 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.
- January 26, 2015 Trial Date. (*The October 14, 2014 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  
Brody Deposition Services  
Priority One