

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

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

**Civil Action**

**CASE MANAGEMENT ORDER VII**

<p>GEORGE MARRAPODI,   <i>Plaintiff(s),</i></p> <p>vs.</p> <p>AJ FRIEDMAN SUPPLY CO., INC., et al   <i>Defendant(s).</i></p>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on June 24, 2015:

FIRM	ATTORNEY	CLIENT
Lanier Law Firm	Lori Benavides	Plaintiff(s) Counsel <i>(co-counsel with Wilentz Goldman &amp; Spitzer)</i>
Caruso Smith Picini	Joyce Min	CertainTeed
Connell Foley	Scott Press	August Arace; Lawton Burns
Gibbons PC	Robert Brown	Hoffmann-LaRoche
Hardin Kundla	Joshua Fischer	Continental Insurance
Hawkins Parnell	Edward P. Abbot	Oakfabco Inc.
Hoagland Longo	Daniel Kuszmerski	Johnson Controls Inc.; York International; Kohler Co.
Kent McBride	Ravi Shah	ECR International Inc.; Binsky & Snyder
Leader Berkon LLP	Brian Astrup	Federated
Littleton Joyce	Katherine Blok Galdieri	BASF Corp.
Margolis Edelstein	J. Edmund Bryak	CP Chemical
Marks O'Neill	Sebastian Goldstein	Honeywell Inc.; Superior Boiler Works
McElroy Deutsch	Joseph D. Rasnek	Pabst Brewing Co.; Pfizer; Burnham
McGivney Kluger	Caitlin Christie	Sloan Valve; Taco; Wales-Darby
McGivney Kluger	Jennifer Hally	Educational Testing Service
McGivney Kluger	Alexander Schaffel	Weil McLain
O'Brien Firm	Brian P. Lawlor	Grant Supply
Pascarella DiVita	Madelyn Iulo	Trane US, Inc.; Rheem Mfg.; Crane Co.
Pepper Hamilton	Nicholas Kowletsis	BMS
Porzio Bromberg	Michelle Burke	Wyeth Holdings Corp.
Reilly Janiczek	Colleen Cavanaugh	SOS Products
Reinartz Law Firm	Richard Reinartz	McGraw Hill
Tierney Law Office	Michael O'Neill	AJ Friedman Supply Co., Inc.
Vasios Kelly	David W. Badie	Armstrong International; Ethicon; Johnson & Johnson
Wilbraham Lawler	John A. Fitzpatrick	Unilever; Lennox Industries
Wilson Elser	Eric Evans	Prudential

IT IS on this 24<sup>th</sup> day of June, 2015 *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 24, 2015 CP Chemical shall serve answers to standard interrogatories by this date.

August 31, 2015 Depositions of corporate representatives shall be completed by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

September 11, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

September 25, 2015 Summary judgment motions shall be filed no later than this date

October 23, 2015 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

September 30, 2015 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**

November 20, 2015 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.

December 21, 2015 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 15, 2016 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

### **EXPERT DEPOSITIONS**

February 5, 2016 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 2, 2015                      The settlement conference previously scheduled on this date is **cancelled**.

January 21, 2016 @ 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 the conference.

February 29, 2016                      Trial Date. (*The November 16, 2015 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