

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

Docket No: L-6996-15 (AS)

Civil Action

**CASE MANAGEMENT ORDER III
AMENDED**

MARY SCHULTZ, vs. AO SMITH WATER PRODUCTS, et al	<i>Plaintiff(s),</i> <i>Defendant(s).</i>
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This matter having previously come in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on January 19, 2017:

FIRM	ATTORNEY	CLIENT
<i>Weitz & Luxenberg</i>	<i>Robert Silverman</i>	<i>Plaintiff(s)</i>
<i>Connell Foley</i>	<i>Scott Press</i>	<i>PSE&G</i>
<i>Eckert Seamans</i>	<i>Robert McGuire</i>	<i>AO Smith</i>
<i>Hack Piro</i>	<i>Robert Alencewicz</i>	<i>HB Smith</i>
<i>Hardin Kundla</i>	<i>Nicea D'Annunzio</i>	<i>Aaron</i>
<i>Leader & Berkon</i>	<i>Susan Cirilli</i>	<i>IMO</i>
<i>Lenahan & Rockwell</i>	<i>Kristin Deleppo</i>	<i>Nooter Construction Co.</i>
<i>Mayfield Turner</i>	<i>Adam Fogarty</i>	<i>Carrier Corp.</i>
<i>McElroy Deutsch</i>	<i>Joseph D. Rasnek</i>	<i>Burnham; ExxonMobil</i>
<i>McGivney Kluger</i>	<i>Thomas McNulty</i>	<i>Weil McLain</i>
<i>O'Toole Fernandez</i>	<i>Gary Van Lieu</i>	<i>WA Birdsall</i>
<i>Pascarella DiVita</i>	<i>Cory Simmons-Edler</i>	<i>Rheem Mfg.</i>
<i>Porzio Bromberg</i>	<i>Michelle Burke</i>	<i>E.I. DuPont de Nemours & Co.</i>
<i>Reilly Janiczek</i>	<i>Zachery Green</i>	<i>Crown Boiler</i>
<i>Ricci Tyrrell</i>	<i>Nancy Green</i>	<i>CBI</i>
<i>Sedgwick LLP</i>	<i>Afigo Fadahunsi</i>	<i>CBS/Westinghouse; Foster Wheeler</i>
<i>Swartz Campbell</i>	<i>Laura A. Bartow</i>	<i>Sunoco</i>
<i>White & Williams</i>	<i>Victor Zarrilli</i>	<i>Bradford White Corp.</i>
<i>Wilbraham Lawler</i>	<i>Tristin Fabro</i>	<i>South Amboy Plumbing Supply Co.</i>
<i>Wilson Elser</i>	<i>Joseph Hanlon</i>	<i>Hess</i>

IT IS on this 15th day of JUNE, 2017, Case Management Order III is hereby

AMENDED 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.

SUMMARY JUDGMENT MOTION PRACTICE

August 18, 2017 Summary judgment motions shall be filed no later than this date.

September 15, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

October 31, 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

October 31, 2017 Defendants and third-party plaintiffs 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 8, 2017 Third-party defendants shall identify its liability experts and serve liability expert reports, if any, by this date.

EXPERT DEPOSITIONS

December 29, 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

November 15, 2017 @ 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 5, 2018 Trial Date. (*The December 4, 2017 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