

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

Docket No: L-1670-16 (AS)

Civil Action

CASE MANAGEMENT ORDER III

BEVERLY McGRATH (Estate of John McGrath), <i>Plaintiff(s),</i>
vs.
ANHEUSER BUSCH 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 August 8, 2017:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Robins Cloud LLP	Sara Morton	Plaintiff's co-counsel
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide; Essex Chemical
DLA Piper LLP	Stephen Barrett	BASF Catalysts LLC
Gibbons PC	Daniel Dorfman	Honeywell
Gibbons PC	Robert Brown	Hoffman LaRoche Inc.
Goldberg Segalla	H. Lockwood Miller	Givaudan
Hardin Kundla	Nicea D'Annunzio	Mondelez International, Inc.
Landman Corsi	Alex Marcus	Anheuser Busch
Maron Marvel	Lina Carreras	Industrial Holdings Corp.
McElroy Deutsch	Joseph LaSala	Pabst Brewing Co.
Pascarella DiVita	Gabriel Miller	Ingersoll Rand
Porzio Bromberg	Michelle Burke	Cytec Industries, Inc.; AT&T
Speziali Greenwald	Joanne Hawkins	General Electric
Tanenbaum Keale	Afigo Fadahunsi	CBS/Westinghouse
Wilbraham Lawler	Matthew Jones	PSE&G

IT IS on this 9th day of August, 2017, 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

November 13, 2017 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.

December 15, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

January 5, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

January 5, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 19, 2018 Summary judgment motions shall be filed no later than this date.

February 16, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

January 16, 2018 Plaintiff shall serve medical expert reports by this date.

March 30, 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

January 16, 2018 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.

March 30, 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.

EXPERT DEPOSITIONS

April 27, 2018 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 The settlement conference previously scheduled on this date is **cancelled**.

April 20, 2018 @ 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.

May 29, 2018 Trial Date. (*The December 18, 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