

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

Docket No: L-1670-16 (AS)

Civil Action

CASE MANAGEMENT ORDER V

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 March 14, 2018:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide; Essex Chemical
Gibbons PC	Robert Brown	Honeywell; Hoffman LaRoche Inc.
Goldberg Segalla	H. Lockwood Miller	Givaudan
Hardin Kundla	Cynthia Lee	Mondelez International, Inc.
Landman Corsi	Joseph Tamaino	Anheuser Busch
Littleton Park	Jason Scmitz	BASF Catalysts LLC
Maron Marvel	Lina Carreras Flanigan	Industrial Holdings Corp.
McElroy Deutsch	Michelle Hydrusko	Pabst Brewing Co.
Mound Cotton	Pamela Minetto	Viad
Pascarella DiVita	Stephanie DiVita	Ingersoll Rand
Porzio Bromberg	Michelle Burke	Cytec Industries, Inc.; AT&T
Tanenbaum Keale	Jordan Rothman	CBS/Westinghouse
Wilbraham Lawler	Matthew Jones	PSE&G

IT IS on this 14th day of March, 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

- April 30, 2018 Plaintiff and defendants shall serve answers to any outstanding supplemental discovery requests by this date.
- June 29, 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.
- June 29, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- August 17, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- August 17, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- August 31, 2018 Summary judgment motions shall be filed no later than this date.
- September 28, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

- July 31, 2018 Plaintiff shall serve medical expert reports by this date.
- November 2, 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

- July 31, 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.
- November 2, 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.
- November 16, 2018 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

EXPERT DEPOSITIONS

- November 30, 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

August 24, 2018 The settlement conference previously scheduled on this date is **cancelled**.

November 2, 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.

December 17, 2018 Trial Date. (*The September 24, 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