

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

Docket No: L-7991-12 (AS)

Civil Action

CASE MANAGEMENT ORDER I

JAMES MELITSKI, <i>Plaintiff(s),</i> vs. ASBESTOS CORP. LTD., et al <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on January 15, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Angelo Cifaldi Philip Tortoreti Vincent Cheng	Plaintiff(s)
Gibbons	Ethan Stein	Honeywell
Hoagland Longo	Nora Grimbergen	Thul Auto Parts
Jones Law Office	Richard V. Jones	Metropolitan Life
LeClair Ryan	Michael Goldklang	Ford Motor
McCarter & English	Debra M. Perry	Fisher Scientific

IT IS on this 23rd day of January, 2013 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.

Defense counsel shall notify plaintiffs' counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

March 15, 2013 Plaintiff shall serve answers to wrongful death interrogatories by this date.

February 15, 2013 Defendants shall serve answers to standard interrogatories by this date.

March 1, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date.

April 1, 2013 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

March 1, 2013 Defendants shall propound supplemental interrogatories and document requests by this date.

April 1, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

April 30, 2013 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.

April 30, 2013 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

May 3, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

May 24, 2013 Summary judgment motions limited to product identification issues shall be filed no later than this date.

June 21, 2013 Last return date for product identification summary judgment motions.

OTHER MOTIONS

June 14, 2013 Filing date.

July 12, 2013 Return date.

MEDICAL DEFENSE

March 15, 2013 Plaintiff shall serve executed medical authorizations by this date.

March 29, 2013 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

May 31, 2013 Plaintiff shall serve additional medical expert reports by this date.

May 31, 2013 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

July 26, 2013 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

July 26, 2013 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.

August 26, 2013 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.

ECONOMIST EXPERT REPORTS

July 26, 2013 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.

August 26, 2013 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

September 16, 2013 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 6, 2013 @ 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.

September 30, 2013 Trial Date.

Plaintiff’s counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Vincent Le Blon
VINCENT Le BLON, J.S.C.

cc: counsel:
Goldfein & Joseph
cc: Clerk, Mass Tort
 Brody Deposition Services
 Priority One