

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

Docket No: L-7152-12 (AS)

Civil Action

CASE MANAGEMENT ORDER XI

CATHERINE MOORE, (Estate of ROBERT MOORE), <i>Plaintiff(s),</i> vs. 3M COMPANY, 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 April 6, 2016:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph Mandia	Plaintiff(s)
Budd Lerner	Terence W. Camp	Goodyear Tire & Rubber Co.
Caruso Smith Picini	Marcia DePolo	Union Carbide; CertainTeed
Christie Sullivan & Young	Lallie M. Banks	HB Fuller Corp.
Goldfein & Joseph	Willard Preston	DOMCO
Kent McBride	David Rutkowski	Keyport Lumber
Lynch Daskal	Kate Romick	Georgia Pacific
Marshall Dennehey	Arthur Bromberg	Kaiser Gypsum
McGivney Kluger	Joel Clark	DAP, Inc.
O'Toole Fernandez	Leslie Lombardy	RT Vanderbilt Co.
Vasios Kelly	Thomas J. Kelly, Jr.	Bird

IT IS on this 7th day of April, 2016 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

August 15, 2016 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.

September 15, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

July 29, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- October 21, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- November 4, 2016 Summary judgment motions shall be filed no later than this date.
- December 2, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

- October 21, 2016 Plaintiff shall serve medical expert reports by this date.
- January 20, 2017 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

- October 21, 2016 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.
- January 20, 2017 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

- October 21, 2016 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.
- January 20, 2017 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

- February 17, 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

- September 14, 2016 The settlement conference previously scheduled on this date is **cancelled**.

February 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.

March 13, 2017 Trial Date. (*The October 3, 2016 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