

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

**Docket No: L-7152-12 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER VIII**

|   |
|---|
| CATHERINE MOORE,<br>(Estate of ROBERT MOORE),<br><br><i>Plaintiff(s),</i> |
| vs.   |
| 3M COMPANY, et al<br><br><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 10, 2015:

| <b>FIRM</b>               | <b>ATTORNEY</b>      | <b>CLIENT</b>              |
|---------------------------|----------------------|----------------------------|
| 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 | George S. Bobnak     | HB Fuller Corp.            |
| Kent McBride              | Ravi Shah            | Keyport Lumber             |
| Lynch Daskal              | Alexandra Ober       | Georgia Pacific            |
| Marshall Dennehey         | Paul Johnson         | Kaiser Gypsum              |
| McGivney Kluger           | Joel Clark           | DAP, Inc.                  |
| O'Toole Fernandez         | Gary Van Lieu        | RT Vanderbilt Co.          |
| Vasios Kelly              | Thomas J. Kelly, Jr. | Bird                       |

IT IS on this 13<sup>th</sup> day of April, 2015 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**

September 30, 2015 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.

October 30, 2015 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

November 13, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

## SUMMARY JUDGMENT MOTION PRACTICE

January 8, 2016 Summary judgment motions shall be filed no later than this date.

February 5, 2016 Last return date for summary judgment motions.

## MEDICAL DEFENSE

December 18, 2015 Plaintiff shall serve medical expert reports by this date.

March 11, 2016 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

December 18, 2015 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 11, 2016 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

January 22, 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.

March 11, 2016 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

March 31, 2016 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 12, 2015 The settlement conference previously scheduled on this date is **cancelled**.

March 16, 2016 @ 1:30pm 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.

April 18, 2016

Trial Date. (*The September 14, 2015 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  
Brody Deposition Services  
Priority One