

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

CATHERINE MOORE,  
(ESTATE of ROBERT MOORE),  
*Plaintiff(s),*

vs.

3M COMPANY, et al  
*Defendant(s).*

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

**Civil Action**

**CASE MANAGEMENT ORDER XV**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on October 24, 2017:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Budd Larner	Terence W. Camp	Goodyear Tire & Rubber Co.
Caruso Smith Picini	Lisa Massimi	CertainTeed
Goldfein & Joseph	Madhurika Jeremiah	DOMCO
Lynch Daskal	David Freed	Georgia Pacific
McGivney Kluger	Kevin Hoffman	Keyport Lumber; DAP
O'Toole Scrivo	Joshua Lichtenstein	RT Vanderbilt Co.

IT IS on this 25<sup>th</sup> day of **October, 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**

January 12, 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.

January 12, 2018      Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

December 22, 2017      Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- January 19, 2018      Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- February 2, 2018      Summary judgment motions shall be filed no later than this date.
- March 2, 2018      Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- February 2, 2018      Plaintiff shall serve medical expert reports by this date.
- April 13, 2018      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**

- February 2, 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.
- April 13, 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.

### **ECONOMIST EXPERT REPORTS**

- February 2, 2018      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.
- April 13, 2018      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**

- May 4, 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**

January 26, 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 3, 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 25, 2018 Pretrial Information Exchange submissions due.

June 4, 2018 **Trial-Ready** Date. (*The April 2, 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