

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

ALBERT & PEGGY OROSZ,
Plaintiff(s),
vs.
ALCATEL LUCENT USA, et al
Defendant(s).

Docket No: L-4257-15 (AS)

Civil Action

**CASE MANAGEMENT ORDER I
AMENDED**

This matter having come in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on December 30, 2015:

FIRM	ATTORNEY	CLIENT
<i>Early & Strauss</i>	<i>Matthew Park</i>	<i>Plaintiff(s)</i>
<i>Bonner Kiernan</i>	<i>Kevin E. Monastra</i>	<i>Durez; Occidental Chemical Corp.</i>
<i>Caruso Smith Picini</i>	<i>Alexandra Caruso</i>	<i>Union Carbide; CertainTeed</i>
<i>Gibbons</i>	<i>Ethan Stein</i>	<i>Honeywell</i>
<i>Harris Beach PLLC</i>	<i>Joanna E. Menillo</i>	<i>Saint Gobain Abrasives, Inc.</i>
<i>Hoagland Longo</i>	<i>Marc S. Gaffrey</i>	<i>Mercury Marine / Brunswick</i>
<i>Locke Lord</i>	<i>Eric Alvarez</i>	<i>Alcatel-Lucent</i>
<i>Marshall Dennehey</i>	<i>Arthur Bromberg</i>	<i>Bostik</i>
<i>Marshall Dennehey</i>	<i>Lisa Only</i>	<i>Pep Boys; Kaiser Gypsum</i>
<i>McGivney Kluger</i>	<i>Joel Clark</i>	<i>Homosote; Pecora</i>
<i>Rawle & Henderson</i>	<i>David Samlin</i>	<i>American Biltrite Inc.; Hajoca Corp.</i>
<i>Sedgwick LLP</i>	<i>Mark Wasef</i>	<i>CBS; General Electric; Foster Wheeler</i>
<i>Wilbraham Lawler</i>	<i>Anisha S. Abraham</i>	<i>Plastics Engineering Co.</i>

IT IS on this 19th day of APRIL, 2016, *Case Management Order I is hereby*

AMENDED 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

May 31, 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.

June 30, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

July 8, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

July 8, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

July 22, 2016 Summary judgment motions shall be filed no later than this date.

August 19, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

August 5, 2016 Plaintiff shall serve medical expert reports by this date.

August 5, 2016 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

October 3, 2016 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

August 5, 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.

October 3, 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.

EXPERT DEPOSITIONS

October 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, 2016 The settlement conference previously scheduled on this date is **cancelled**.

November 1, 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.

December 5, 2016

Trial Date. *(The trial date of September 12, 2016 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