

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 II**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on August 16, 2016:

FIRM	ATTORNEY	CLIENT
Early & Strauss	Derell Wilson	Plaintiff(s)
Bonner Kiernan	Mark A. Lockett	Durez; Occidental Chemical Corp.
Christie & Young	George S. Bobnak	HB Fuller Co.
Gibbons	Ethan Stein	Honeywell
Gibbons	Christopher DePhillips	Alcatel-Lucent
Harris Beach PLLC	Robert Schaefer	Saint Gobain Abrasives, Inc.
Hoagland Longo	Marc S. Gaffrey	Mercury Marine / Brunswick
Marshall Dennehey	Jeremy J. Zacharias	Pep Boys; Kaiser Gypsum
McGivney Kluger	Joel Clark	Homosote; Pecora
Rawle & Henderson	Jamie L. Augustinsky	American Biltrite Inc.; Hajoca Corp.
Sedgwick LLP c/o Speziali	Joanne Hawkins	CBS; General Electric; Foster Wheeler
Wilbraham Lawler	Michelle Kirsch	Plastics Engineering Co.

IT IS on this 17<sup>th</sup> day of **August, 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**

November 17, 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.

January 31, 2017 Depositions of corporate representatives shall be completed by this date.

### EARLY SETTLEMENT

October 31, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

### SUMMARY JUDGMENT MOTION PRACTICE

February 17, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

March 3, 2017 Summary judgment motions shall be filed no later than this date.

March 31, 2017 Last return date for summary judgment motions.

### MEDICAL DEFENSE

January 17, 2017 Plaintiff shall serve medical expert reports by this date.

January 17, 2017 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

April 28, 2017 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

February 28, 2017 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 28, 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.

### EXPERT DEPOSITIONS

May 19, 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

November 1, 2016 The settlement conference previously scheduled on this date is **cancelled**.

May 16, 2017 @ 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.

June 12, 2017

Trial Date. *(The trial date of December 5, 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