

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

Docket No: L-4257-15 (AS)

Civil Action

CASE MANAGEMENT ORDER III

ALBERT & PEGGY OROSZ, <i>Plaintiff(s),</i>
vs.
ALCATEL LUCENT USA, 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 March 13, 2017:

FIRM	ATTORNEY	CLIENT
Early & Strauss	Derell Wilson	Plaintiff(s)
Christie & Young	George S. Bobnak	HB Fuller Co.
Gibbons	Mark R. Galdieri	Honeywell
Harris Beach PLLC	Jenna Murray	Saint Gobain Abrasives, Inc.
Hoagland Longo	Jessica Saad	Mercury Marine / Brunswick
McGivney Kluger	Thomas McNulty	Homosote
Porzio Bromberg	Michelle Burke	Alcatel-Lucent USA
Rawle & Henderson	Christina A. Gonzales	American Biltrite Inc.; Hajoca Corp.

IT IS on this 15th day of March, 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

September 15, 2017 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, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 29, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

October 6, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

October 20, 2017 Summary judgment motions shall be filed no later than this date.

November 17, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

May 31, 2017 Plaintiff shall serve medical expert reports by this date.

May 31, 2017 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

December 29, 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

October 13, 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.

December 29, 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

January 19, 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

May 16, 2017 The settlement conference previously scheduled on this date is **cancelled**.

January 24, 2018 @ 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.

February 20, 2018 (*Tuesday*) Trial Date. (*The June 12, 2017 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