

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

Docket No: L-829-14 (AS)

Civil Action

CASE MANAGEMENT ORDER II

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|--------------------------------|
| LOUIS & ANN PAIGE, |
| <i>Plaintiff(s),</i> |
| vs. |
| AO SMITH WATER PRODUCTS, 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 July 24, 2014:

| FIRM | ATTORNEY | CLIENT |
|-------------------------|--------------------------------|--|
| Cohen Placitella & Roth | Michael McMahon | Plaintiff(s) |
| Bucca & Campisano | Christine Bucca | IMO |
| Carroll McNulty | Michael A. Moroney | Copes Vulcan |
| Caruso Smith | Marcia DePolo | Union Carbide; CertainTeed |
| Eckert Seaman | | Superior Lindgerwood Mundy Corp. |
| Forman Perry | Timothy Coughlan | Velan Valve Corp. |
| Gibbons PC | Mark Galdieri | Honeywell |
| Hoagland Longo | Steven Satz | York; Burnham; Goulds Pumps; Borg Warner |
| Kelley Jasons | Angela Caliendo | FMC; Crosby Valve; Square D |
| Kent McBride | Ravi Shah | Alfa Laval |
| Margolis Edelstein | J. Edmund Bryak | John Crane; Goodrich |
| Marshall Dennehey | Lisa Only | Riley Stoker; Warren Pumps |
| Mayfield Turner | Andrew Keith | Carrier Corp. |
| McElroy Deutsch | Joseph D. Rasnek | AO Smith Water Products; Flowserve US Inc, as successor to Rockwell |
| McGivney Kluger | Joel Clark Caitlin Christie | Falk; Hopeman Brothers; Weil-McLain; Fairbanks; Nash; Zurn; Taco; Atwood & Morrill |
| O'Toole Fernandez | Gina Apostolico | Clark Reliance |
| Pascarella DiVita | Stephanie DiVita | Trane US Inc. |
| Reilly Janiczek | Michelle Cappuccio | Cleaver Brooks |
| Segal McCambridge | Nicole Markowitz | BW/IP |
| Vasios Kelly Strollo | Thomas J. Kelly, Jr. | Bird, Inc.; Armstrong International Inc. |
| Wilbraham Lawler | John A. Fitzpatrick | Greene Tweed |

IT IS on this 25th day of July, 2014 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, 2014 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 31, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

October 21, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

November 7, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

November 21, 2014 Summary judgment motions shall be filed no later than this date.

December 19, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

January 23, 2015 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

November 17, 2014 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.

January 23, 2015 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

February 20, 2015 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

February 17, 2015 @ 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.

March 16, 2015

Trial Date. (*The November 10, 2014 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