

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

**Docket No: L-829-14 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER III**

<p>LOUIS &amp; ANN PAIGE,</p> <p style="text-align: center;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>AO SMITH WATER PRODUCTS, et al</p> <p style="text-align: center;"><i>Defendant(s).</i></p>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on January 7, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Bucca & Campisano	Benjamin Bucca Jr.	IMO
Caruso Smith	Marcia DePolo	Union Carbide; CertainTeed
Clemente Mueller	Ian	Powell
Gibbons PC	Ethan Stein	Honeywell
Hoagland Longo	Steven Satz	York; Goulds Pumps
Kelley Jasons	Angela Caliendo	FMC; Square D
Kent McBride	Gary Ahladianakis	Alfa Laval
Langsam Stevens	Jeannie Lee	Zy-Tech
Margolis Edelstein	Ryan Buchanan	John Crane; Goodrich
Marshall Dennehey	Paul Johnson	Riley Stoker; Warren Pumps
Mayfield Turner	Sara Saltzman	Carrier Corp.
McElroy Deutsch	Sara Fusco	AO Smith Water Products; Flowserve US Inc, as successor to Rockwell
McGivney Kluger	Thomas McNulty	Falk; Hopeman Brothers; Weil-McLain; Fairbanks; Nash; Zurn; Taco; Atwood & Morrill
Morgan Lewis	Christopher Iannicelli	Crosby Valve
O'Toole Fernandez	Michael Garcia	Clark Reliance
Pascarella DiVita	Joshua Greeley	Trane US Inc.
Reilly Janiczek	Edward King	Cleaver Brooks
Sedgwick	David Blow	Borg Warner
Segal McCambridge	Michael F. Gorman	BW/IP, Inc.
Vasios Kelly Strollo	Thomas J. Kelly, Jr.	Bird, Inc.; Armstrong International Inc.
Wilbraham Lawler	Andrea Greco	Greene Tweed

IT IS on this 12<sup>th</sup> day of January, 2015 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**

February 27, 2015 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.

February 27, 2015 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

March 6, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

March 13, 2015 Summary judgment motions shall be filed no later than this date.

April 10, 2015 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

March 31, 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.**

April 30, 2015 Plaintiff shall serve a rebuttal expert medical report, if any, by this date.

### **LIABILITY EXPERT REPORTS**

March 31, 2015 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 30, 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**

May 15, 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

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

May 6, 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.

June 8, 2015

Trial Date. (*The March 16, 2015 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