

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

<p>LOUIS & ANN PAIGE, <i>Plaintiff(s),</i></p> <p>vs.</p> <p>AO SMITH WATER PRODUCTS, et al <i>Defendant(s).</i></p>

Docket No: L-829-14 (AS)

Civil Action

CASE MANAGEMENT ORDER V

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on October 22, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Bucca & Campisano	Christine Bucca	IMO
Carroll McNulty	Michael Moroney	Copes Vulcan; Clark Reliance; Spirax Sarco
Caruso Smith	Lisa Massimi	Union Carbide; CertainTeed
Clemente Mueller	Jessie Christine Basner	Powell
Gibbons PC	Ethan Stein	Honeywell
Hoagland Longo	Steven F. Satz	York; Goulds Pumps; Frick
Kelley Jasons	Angela Caliendo	FMC; Square D
Kent McBride	Ravi Shah	Alfa Laval
Margolis Edelstein	Jeanine D. Clark	John Crane; Goodrich
Marshall Dennehey	Paul Johnson	Riley Stoker; Warren Pumps
McElroy Deutsch	Michelle Hydrusko	AO Smith Water Products; Flowserve US Inc., as successor to Rockwell; Burnham
McGivney Kluger	Caitlin Christie Nicholas DeMattheis	Falk; Weil-McLain; Fairbanks; Nash; Zurn; Taco; Atwood & Morrill; Gardner Denver
O'Toole Fernandez	Gina Apostolico	Clark Reliance
Pascarella DiVita	Brad Bishop	Trane US Inc.
Reilly Janiczek	Adrianna Exler	Cleaver Brooks
Sedgwick	Bridget Polloway	Borg Warner
Segal McCambridge	Dinesh Dadlani	BW/IP, Inc.
Vasios Kelly Strollo	Thomas J. Kelly, Jr.	Bird, Inc.; Armstrong International Inc.

IT IS on this 23rd day of October, 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

- November 30, 2015 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- March 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.
- April 29, 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

- May 13, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- May 27, 2016 Summary judgment motions shall be filed no later than this date.
- June 24, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

- February 5, 2016 Plaintiff shall serve medical expert reports, including wrongful death, by this date.
- July 29, 2016 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.**
- August 19, 2016 Plaintiff shall serve a rebuttal expert medical report, if any, by this date.

LIABILITY EXPERT REPORTS

- June 3, 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.
- August 19, 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

- September 9, 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

February 23, 2016 The settlement conference previously scheduled on this date is **cancelled**.

August 30, 2016 @ 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.

September 26, 2016 Trial Date. (*The March 14, 2016 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