

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

Docket No: L-7563-17 (AS)

Civil Action

CASE MANAGEMENT ORDER I

BOBBY PATTERSON, SR.	<i>Plaintiff(s),</i>
vs.	
A SCHULMAN INC., 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 *February 8, 2018*:

FIRM	ATTORNEY	CLIENT
Simmons Hanly	Laurence Nassif Jim Kramer	Plaintiff(s)
Bonner Kiernan	Sheila King	Occidental Chemical Corp.
DLA Piper	Jennifer A. McCarrity	BASF Corp.; BASF Catalysts LLC
Hardin Kundla	Cynthia Lee	Dart Industries, Inc.
Hawkins Parnell	Manuel A. Guevara	Pneumo Abex; Paccar
Maron Marvel	Lina C. Flanigan	Industrial Holdings; BP Products
Marshall Dennehey	Paul Johnson	Riley Power
McCarter & English	John C. Garde	Hercules
McElroy Deutsch	Donna Gardiner	Exxon Mobil Co.
McGivney Kluger	Thomas McNulty	Brand Insulations; Rogers Corp.
O'Toole Scrivo	Gary Van Lieu	RT Vanderbilt
Pascarella DiVita	John S. McGowan	Crane Co.; Trane Co.
Pepper Hamilton	Jeffrey Carr	Honeywell / Allied
Porzio Bromberg	Michelle Burke	Eastman Chemical Corp.
Reilly Janiczek	Edward Henry	Cleaver Brooks
Styliades Mezzanotte	Alphonso Ibrahim	HM Royal
Tanenbaum Keale	William Miedel	Borg Warner
Wilbraham Lawler	Benjamin Salvina	Plastics Engineering

IT IS on this 12th day of **February, 2018**, *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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

- March 1, 2018 Plaintiff shall serve answers to standard interrogatories.
- March 9, 2018 Defendants shall serve answers to standard interrogatories by this date.
- March 16, 2018 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- April 16, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- March 16, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.
- April 16, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- May 14, 2018 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.
- June 15, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- July 20, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- July 20, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- August 3, 2018 Summary judgment motions shall be filed no later than this date.
- August 31, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

- March 1, 2018 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.
- March 1, 2018 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.
- July 16, 2018 Plaintiff shall serve medical expert reports by this date.
- July 16, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- September 28, 2018 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

- July 16, 2018 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.
- September 28, 2018 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.

ECONOMIST EXPERT REPORTS

- July 16, 2018 Plaintiff shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.
- September 28, 2018 Defendants shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

EXPERT DEPOSITIONS

- October 22, 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

- October 17, 2018 @ 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.
- November 16, 2018 Pretrial Information Exchange submissions due.
- November 26, 2018 Trial-Ready 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