

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

Docket No: L-7563-17 (AS)

Civil Action

CASE MANAGEMENT ORDER II

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 August 2, 2018:

FIRM	ATTORNEY	CLIENT
Simmons Hanly	Laurence Nassif	Plaintiff(s)
Barry McTiernan Moore	Claire Huynh	Chevron Phillips; Conoco Phillips
Bonner Kiernan	Sheila King	Occidental Chemical Corp.
DLA Piper	Stephen Barrett	BASF Corp.; BASF Catalysts LLC
Hardin Kundla	Nicea D'Annunzio	Dart Industries, Inc.
Hawkins Parnell	Roy Viola	Pneumo Abex; Paccar
Lavin O'Neil	Catherine Brunermer	3M Company
Lewis Brisbois	Steven T. Corbin	A Schulman, Inc.
Maron Marvel	Lina C. Flanigan	Industrial Holdings
Marshall Dennehey	Jeremy Zacharias	Riley Power
McCarter & English	David Cooner	Hercules
McElroy Deutsch	Andrew F. Bain	Exxon Mobil Co.
McGivney Kluger	Jennifer Hally	Brand Insulations; Rogers Corp.; HM Royal
O'Toole Scrivo	Glenn Chew	RT Vanderbilt
Pepper Hamilton	Jeffrey Carr	Honeywell / Allied
Porzio Bromberg	Tanya Y. Shah	Eastman Chemical Corp.
Rawle & Henderson	Brian Lowenberg	Imerys Talc America
Reilly McDevitt	Adrianna Astriner	Cleaver Brooks
Swartz Campbell	Walter McDonough	Sunoco (R&M) LLC
Tanenbaum Keale	Christopher Keale	Borg Warner
Wilbraham Lawler	Lynne E. Roberts, III	Plastics Engineering
Wilson Elser	Joseph Hanlon	Chevron USA, Inc.; Shell Oil Co.

IT IS on this 3rd day of August, 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.

DISCOVERY

- August 17, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- August 17, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- September 28, 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.
- September 28, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- August 31, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- October 26, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- November 9, 2018 Summary judgment motions shall be filed no later than this date.
- December 7, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

- December 31, 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

- October 31, 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.
- December 31, 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

- October 31, 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.
- December 31, 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

- January 31, 2019 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 The settlement conference previously scheduled on this date is **cancelled**.

January 16, 2019 @ 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.

February 19, 2019 Pretrial Information Exchange submissions due.

February 25, 2019 Trial-Ready Date. (*The November 26, 2018 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