

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

**Docket No: L-5111-13(AS)**

**Civil Action**

**CASE MANAGEMENT ORDER IV**

<p>DELIMIRO &amp; LUZ PEREZ,</p> <p style="text-align: right;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>AMPACET CORP., et al</p> <p style="text-align: right;"><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 July 18, 2014:

FIRM	ATTORNEY	CLIENT
Lanier Law Firm	Darron Berquist	Plaintiff(s) Counsel <i>(co-counsel with Wilentz Goldman &amp; Spitzer)</i>
Baginski Mezzanotte	Patti Lyons	HM Royal
Caruso Smith Picini	Ronald S. Suss	Union Carbide
Connell Foley	Timothy Corrison	Momentive Speciality Chemicals
Dickie McCamey	William Smith	Continental Tire The America; Valentine LLC
Edwards Wildman	Gerard Abate	Alcatel-Lucent USA Inc.
Hawkins Parnell	Roy Viola	Celanese; Reichhold
LeClair Ryan	Michael Goldklang	Ford
Littleton Joyce	Jason Schmitz	Ren / BASF Corp.
McElroy Deutsch	Donna Gardiner	Wallace & Tiernan USA Inc.; Allen Bradley
McGivney Kluger	Thomas McNulty	Simplomatic Mfg.; Rogers Corp.; Package Machinery; Park Electrochemical
O'Toole Fernandez	Bruce Braender	GEI
Pepper Hamilton	Jeffrey Carr	Honeywell International
Porzio Bromberg	Michelle Burke	DuPont; Cytec Engineered Materials; Wyeth Holdings; Eastman Chemical
Slowinski Atkins	Angela Cuonzo	Van Dorn Demag Corp.
Speziali Greenwald	Michael Quinn	General Electric; CBS
White & Williams	James Burger	Pharmacia
Wilbraham Lawler	Anisha S. Abraham	Plastics Engineering Co.

IT IS on this 18<sup>th</sup> 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**

October 17, 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.

November 14, 2014 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

August 5, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

October 16, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

October 24, 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**

November 14, 2014 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 28, 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.

December 31, 2014 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.

January 12, 2015 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

### **ECONOMIST EXPERT REPORTS**

November 28, 2014 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, 2014 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 30, 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**

January 13, 2015 @ 9:30am 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 23, 2015 Trial Date. *(The October 27, 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: counsel:  
Kelley Jasons for FMC Corp.  
cc: Clerk, Mass Tort  
Brody Deposition Services  
Priority One