

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

Docket No: L-5111-13(AS)

Civil Action

CASE MANAGEMENT ORDER V

| | |
|-----------------------|----------------------|
| DELIMIRO & LUZ PEREZ, | |
| | <i>Plaintiff(s),</i> |
| vs. | |
| AMPACET CORP., 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 October 22, 2014:

| FIRM | ATTORNEY | CLIENT |
|---------------------|-------------------------|--|
| Lanier Law Firm | Darron Berquist | Plaintiff(s) Counsel <i>(co-counsel with Wilentz Goldman & Spitzer)</i> |
| Baginski Mezzanotte | Emily Farrell | 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 | Chris Collier | Celanese; Reichhold |
| Kelley Jasons | Angela Caliendo | FMC; Gen Corp. |
| LeClair Ryan | Michael Goldklang | Ford |
| Littleton Joyce | Christine M. Delaney | Ren / BASF Corp. |
| Margolis Edelstein | J. Edmund Bryak | CP Chemical |
| McElroy Deutsch | Joseph D. Rasnek | Wallace & Tiernan USA Inc.; Allen Bradley |
| McGivney Kluger | Caitlin Christie | Simplomatic Mfg.; Package Machinery; Park Electrochemical |
| McGivney Kluger | William Sanders | Rogers Corp. |
| O'Toole Fernandez | Casey Chamra | GEI |
| Pepper Hamilton | Christopher Soper | Honeywell International |
| Porzio Bromberg | Michelle Molinaro Burke | DuPont; Cytec Engineered Materials; Wyeth Holdings; Eastman Chemical |
| Slowinski Atkins | Angela Cuonzo | Van Dorn Demag Corp. |
| Speziali Greenwald | Joanne Hawkins | General Electric; CBS |
| White & Williams | Kathy O'Neill | Pharmacia |

IT IS on this 22nd day of **October, 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

January 16, 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 13, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

January 13, 2015 The settlement conference previously scheduled on this date is **CANCELLED**.

January 23, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

February 20, 2015 Summary judgment motions shall be filed no later than this date.

March 20, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

February 13, 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.**

LIABILITY EXPERT REPORTS

February 27, 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.

March 27, 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.

April 17, 2015 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

February 27, 2015 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.

March 27, 2015 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

April 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

April 29, 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.

May 18, 2015 Trial Date. *(The February 23, 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