

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

PSE&G XIV	
GRAHAM	L-896-14
POSKAY	L-2610-14

Civil Action

CASE MANAGEMENT ORDER III

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on *September 22, 2017*:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Vincent Cheng	Plaintiff(s)
Barry McTiernan Wedinger	Cara Manz	RW Beckett
Bodell Bove	Todd McGarvey	Linden Auto Parts
DeCotiis Fitzpatrick	Michael Moroney	Spirax Sarco
Forman Watkins	Thomas M. Toman, Jr.	Cooper Industries
Gibbons PC	Daniel Dorfman	Honeywell International
Hoagland Longo	Jillian Madison	AGL Welding; McJunkin Red Man Corp.
Kelley Jasons	Angela Caliendo	Henkels & McCoy
Langsam Stevens	Anthony Provost	Zy-Tech
Lewis Brisbois	Patrick Lynott	Henkel Corp.
Margolis Edelstein	Jeanine D. Clark	Woolsulate; United Energy & Construction
McGivney Kluger	Joel Clark Caitlin Bodtmann	Madsen & Howell; DAP; Fairbanks; Raritan Supply; Graybar Electric; SM Electric; Furnino & Sons; Bergen Industrial; J. Heller
McGivney Kluger	Kevin Hoffman	Binsky (Poskay case only)
O'Toole Scrivo	Gary Van Lieu	Cooper Electric; E&B Mills
Pascarella DiVita	Inge R. Cully	Ingersoll Rand Co.
Reilly Janiczek	Inna Keith	Leeds & Northrup; AJ Friedman Supply Co.
Segal McCambridge	Alexander Schaffel	BW/IP
Tanenbaum Keale	Maryam Meseha	CBS/Westinghouse; Foster Wheeler; Geneal Electric (Poskay case only)
Tierney Law Office	Mark Turner	Elizabeth Industrial; Major Inc.

IT IS on this 26th day of **September, 2017**, *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.

These matters are hereby consolidated for discovery, case management and trial.

DISCOVERY

December 29, 2017 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.

December 29, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

March 30, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

January 19, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

February 2, 2018 Summary judgment motions shall be filed no later than this date.

March 2, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

March 30, 2018 As to Poskay, plaintiff shall serve medical expert reports by this date.

March 30, 2018 As to Poskay, upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

July 16, 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

May 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.

July 16, 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

May 31, 2018 As to Poskay, 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.

July 16, 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

August 17, 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

December 6, 2017 The settlement conference previously scheduled on this date is **cancelled**.

February 7, 2018 The settlement conference previously scheduled on this date is **cancelled**.

May 23, 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.

August 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.

September 17, 2018 Trial Date. (*The March 5, 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