

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

**Docket No: L-8038-13 (AS)**

JOSEPH REILLY,	<i>Plaintiff(s),</i>
vs.	
ALCOA, et al	<i>Defendant(s).</i>
-----	
JOSEPH REILLY,	<i>Plaintiff(s),</i>
vs.	
ALCOA, et al	<i>Defendant(s).</i>

**Docket No: L-762-14 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER I**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 11, 2016:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Wilentz Goldman & Spitzer	Jon G. Kupilik	Plaintiff(s)
Archer & Greiner	Philip F. Sheridan	Royal Auto Parts
Barry McTiernan	Sean Connelly	
Bennett Bricklin	Charles Isaacs	Warren Balderston
Breuninger & Fellman	Raymond Chow	Ridgehurst Auto Parts
Connell Foley	Scott Press	Superior Welding Supply
Day Pitney	Alba V. Aviles	International Paper Co.
Eckert Seamans	Misha Shah	AO Smith
Gibbons PC	Mark R. Galdieri	Honeywell International Inc.
Hardin Kundla	Nicea D' Annunzio	Mauritzon; Smith Oxygen
Harwood Lloyd	Victoria D. Silva	Schiavone-Bonomo
Hoagland Longo	Daniel Kuszmerski	Whittaker Clark & Daniels
Kelley Jasons	Jason Scheets	Guard-Line, Inc.
Kent McBride	Ravi Shah	Charles Wagner
Langsam Stevens	David McHale	Zy-Tech Global
LeClair Ryan	John A. Soltész	Ford
Margolis Edelstein	Justin Bettis	Rico; Allied Boiler; Welco; Goldberg; JCI
Marks O'Neill	Paul Smyth	Midland Ross; Bayonne Plumbing
Marshall Dennehey	Arthur Bromberg	Pep Boys
McGivney Kluger	Trish L. Wilson	New Jersey Boiler Repair Co.; Midas International Corp.; Atlas Welding Supply Co.; GG of Florida, Inc. f/k/a Higbee Inc.; Alcoa; AF Supply; Middlesex Welding Sales
Pascarella DiVita	Bradley E. Bishop	Ingersoll Rand; Trane
Segal McCambridge	Nisha S. Lakhani	Mannington Mills
Swartz Campbell	William Morlok	Allied Glove
Wilbraham Lawler	Elizabeth deBerardinis	Western Auto Supply

IT IS on this 11<sup>th</sup> day of April, 2016, *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.

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

### **DISCOVERY**

- |                    |   |
|--------------------|---|
| April 22, 2016     | Plaintiff shall serve amended answers to interrogatories by this date.  |
| May 6, 2016        | Defendants shall serve answers to standard interrogatories by this date.  |
| May 13, 2016       | Defendants shall propound supplemental interrogatories and document requests by this date.  |
| June 10, 2016      | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.   |
| June 30, 2016      | Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date. |
| August 31, 2016    | 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 30, 2016 | Depositions of corporate representatives shall be completed by this date.   |

### **EARLY SETTLEMENT**

- |                   |  |
|-------------------|--|
| November 30, 2016 | Settlement demands shall be served on all counsel and the Special Master by this date. |
|-------------------|--|

### **SUMMARY JUDGMENT MOTION PRACTICE**

- |                   |   |
|-------------------|---|
| October 7, 2016   | Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date. |
| October 21, 2016  | Summary judgment motions shall be filed no later than this date.                            |
| November 18, 2016 | Last return date for summary judgment motions.  |

### **MEDICAL DEFENSE**

- |                |   |
|----------------|---|
| April 22, 2016 | Plaintiff shall serve executed medical authorizations by this date. |
| April 22, 2016 | Plaintiff shall serve medical expert reports by this date.          |

January 31, 2017 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**

December 16, 2016 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.

January 31, 2017 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**

December 16, 2016 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.

January 31, 2017 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.

**PRE-TRIAL AND TRIAL**

February 1, 2017 @ 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 27, 2017 Trial 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