

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

**Docket No: L-3243-15 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER I**

ESTATE of MARY REMBILAS, <i>Plaintiff(s),</i>
vs.
ASBESTOS CORPORATION LTD., 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 *February 8, 2017*:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Wilentz Goldman & Spitzer	Philip Tortoreti	Plaintiff(s)
Caruso Smith	Alexandra Caruso	CertainTeed
Goldfein & Joseph	Madhurika Jeremaiah	ACL; Bell
Jardim Meisner	Nancy Giacumbo	Hollingsworth & Vose
Jones Law Office	Richard V. Jones	Metropolitan Life

IT IS on this 10<sup>th</sup> day of **February, 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.

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.

**DISCOVERY**

March 31, 2017      Plaintiff shall serve answers to wrongful death interrogatories by this date.

April 28, 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.

**SUMMARY JUDGMENT MOTION PRACTICE**

May 12, 2017      Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

May 26, 2017      Summary judgment motions shall be filed no later than this date.

June 23, 2017      Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

April 28, 2017            Plaintiff shall serve medical expert reports by this date.

August 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**

July 28, 2017            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.

August 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.

## **EXPERT DEPOSITIONS**

September 22, 2017    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**

*To be scheduled*            Settlement conference.

October 23, 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