

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

**Docket No:** L-11667-14 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

ESTATE of ALBERT RICHTER, <i>Plaintiff(s),</i>
vs.
AUTOCAR, LLC, 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 March 9, 2018:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Weitz & Luxenberg	Michelle Murtha	Plaintiff(s)
Breuninger & Fellman	Raymng Chow	Genuine Parts Co.
Gibbons PC	Daniel Dorfman	Honeywell International
Hardin Kundla	Nicea D'Annunzio	Deere & Co.
Harwood Lloyd	Russell Pepe	Carlisle Industrial Brake & Friction
Lavin O'Neil	Michael D. Sells	Daimler Trucks North America, LLC; Toyota Motor Sales USA, Inc.
LeClari Ryan	Gary M. Sapir	Ford Motor Co.
Lynch Daskal	David Freed	Nissan North America, Inc.
Marks O'Neill	Sebastian Goldstein	Caterpillar
McElroy Deutsch	Joseph D. Rasnek	Lipe Automation; Pfizer
McElroy Deutsch	Brian Sorenson	Eaton
McGivney Kluger	Joel Clark	Haldex
O'Toole Scrivo	Franklin D. Paez	DCo, LLC (Dana)
Rawle & Henderson	Linda Dobbins	Mack Trucks Inc.
Reilly McDevitt	Ryan Notarangeo	Maremont
Tanenbaum Keale	William T. Miedel	Borg Warner Corp.; Perkins Engines
Troutman Sanders	Joanne P. Rogers	Standard Motor Products

IT IS on this 13<sup>th</sup> day of March, 2018, *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**

June 8, 2018

Plaintiff shall propound supplemental interrogatories and document requests by this date.

- July 13, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- June 8, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.
- July 13, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- August 31, 2018 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.
- August 31, 2018 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- September 14, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- September 14, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- September 28, 2018 Summary judgment motions shall be filed no later than this date.
- October 26, 2018 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- September 7, 2018 Plaintiff shall serve medical expert reports by this date.
- December 3, 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**

- September 7, 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.
- December 3, 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.

### **EXPERT DEPOSITIONS**

- January 18, 2019 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 17, 2019 @ 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 25, 2019 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