

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: MIDDLESEX COUNTY
ASBESTOS LITIGATION

Docket No: L-6977-15 (AS)

Civil Action

CASE MANAGEMENT ORDER III

MARY SCHULTZ (ESTATE of ROBERT SCHULTZ), <p style="text-align: right;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> AO SMITH WATER PRODUCTS, et al <p style="text-align: right;"><i>Defendant(s).</i></p>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on January 19, 2017:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Robert Silverman	Plaintiff(s)
Connell Foley	Scott Press	PSE&G
Eckert Seamans	Robert McGuire	AO Smith
Hack Piro	Robert Alencewicz	HB Smith
Hardin Kundla	Nicea D' Annunzio	Aaron
Leader & Berkon	Susan Cirilli	IMO
Lenahan & Rockwell	Kristin Deleppo	Nooter Construction Co.
Mayfield Turner	Adam Fogarty	Carrier Corp.
McElroy Deutsch	Joseph D. Rasnek	Burnham; ExxonMobil
McGivney Kluger	Thomas McNulty	Weil McLain
O'Toole Fernandez	Gary Van Lieu	WA Birdsall
Pascarella DiVita	Cory Simmons-Edler	Rheem Mfg.
Porzio Bromberg	Michelle Burke	E.I. DuPont de Nemours & Co.
Reilly Janiczek	Zachery Green	Crown Boiler
Ricci Tyrrell	Nancy Green	CBI
Sedgwick LLP	Afigo Fadahunsi	CBS/Westinghouse; Foster Wheeler
Swartz Campbell	Laura A. Bartow	Sunoco
White & Williams	Victor Zarrilli	Bradford White Corp.
Wilbraham Lawler	Tristin Fabro	South Amboy Plumbing Supply Co.
Wilson Elser	Joseph Hanlon	Hess

IT IS on this 20th day of **January, 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.

SUMMARY JUDGMENT MOTION PRACTICE

February 3, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
February 17, 2017 Summary judgment motions shall be filed no later than this date.
March 17, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

April 14, 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

April 14, 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.
May 26, 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

June 16, 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

June 16, 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.
July 10, 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