

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

**Docket No:** L-6670-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

JAMES & DIANE RUSSO,  vs.  ADVANCE AUTO PARTS, INC., et al	<i>Plaintiff(s),</i>     <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on March 21, 2017:

FIRM	ATTORNEY	CLIENT
Maune Raichle	Patrick Timmins	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.
Budd Lerner	Terence W. Camp	Ericsson, Inc.
Clemente Mueller	Jessie Christine Basner	William Powell Co.
Connell Foley	Christopher Abatemarco	Circuit Breaker Sales
Cullen & Dykman	Astin O'Malley	Goulds Pumps; Howden N.A.
Darger Errante	Sandra Steinman	Lightolier
Eckert Seamans	Robert McGuire	AO Smith Water Products
Forman Watkins	Matthew G. Broderson	Cooper Industries
Gibbons PC	Robert Brown	Yuba Heat Transfer; Honeywell International
Harris Beach	David Kochman	Progress Lighting; Prescolite; Hubbell Power Systems
Hoagland Longo	Amie Kalac	Johnson Controls
Kelley Jasons	Dana Maugeri	FMC Corp.
Kent McBride	Robert Florke	Mine Safety Appliance (MSA)
Leader & Berkon	Christine Bucca	IMO; Spirax Sarco
Littleton Joyce	Jason Schmitz	BASF
Lynch Daskal	Dvid Freed	Georgia Pacific
Margolis Edelstein	Dawn Dezii	Belden Wire & Cable; Alpha Wire
Marks O'Neill	Paul Smyth	Honeywell
Maron Marvel	Timothy Coughlan	Velan Valve Corp.
Marshall Dennehey	Jeremy Zacharias	Riley Power; Warren Pumps
Marshall Dennehey	Arthur Bromberg	Leviton; AIW; RSCC Wire & Cable
McElroy Deutsch	Donna Gardiner	Burnham; Eaton; Rockwell Automation
McGivney Kluger	Caitlin Bodtmann Joel Clark	Weil McLain; CCX; Marley Cooling; Graybar; Taco; Gardner Denver; Durametalllic; Flowserve
O'Toole Scrivo	Franklin D. Paez	Hatzel & Buehler
Pascarella DiVita	Joshua Greeley	Ingersoll Rand; Trane US, Inc.; General Cable Corp.; Crane Co.
Porzio Bromberg	Michelle Burke	Alcatel Lucent USA Inc.
Reilly Janiczek	Brandy Harris	Cleaver Brooks; Aurora Pump; Gould Electronics
Segal McCambridge	Audrey O. Anyaele	BW/IP

Tanenbaum Keale	William T. Mietel	Borg Warner; Bryant Electric; CBS Corp.; Foster Wheeler
Vasios Kelley	Thomas J. Kelly, Jr.	Armstrong International
Wilbraham Lawler	Matthew Jones	PSE&G; Buffalo Pumps; Siemens, <i>Advance Auto Parts</i>

IT IS on this 22<sup>nd</sup> day of March, 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**

- April 7, 2017 Defendants shall serve answers to standard interrogatories by this date.
- May 12, 2017 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- June 12, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- May 12, 2017 Defendants shall propound supplemental interrogatories and document requests by this date.
- June 12, 2017 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- July 31, 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.
- July 31, 2017 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

- October 13, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

- August 18, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- September 1, 2017 Summary judgment motions shall be filed no later than this date.
- September 29, 2017 Last return date for summary judgment motions.

## MEDICAL DEFENSE

- August 18, 2017 Plaintiff shall serve medical expert reports by this date.
- August 18, 2017 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- November 15, 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

- August 18, 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.
- November 15, 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

- December 15, 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

- December 5, 2017 @ 9:30am 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.
- January 8, 2018 Pretrial Information Exchange submissions due.
- January 16, 2018 (*Tuesday*) **Trial-Ready** 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