

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

Docket No: L-6670-16 (AS)

Civil Action

CASE MANAGEMENT ORDER III

JAMES & DIANE RUSSO, <i>Plaintiff(s),</i>
vs.
ADVANCE AUTO PARTS INC., 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 July 9, 2018:

FIRM	ATTORNEY	CLIENT
Maune Raichle	Patrick Timmins	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.
Budd Larner	Terence W. Camp	Ericsson, Inc.
Caruso Smith Picini	Lisa Massimi	Asbeka Ind. of NY; CertainTeed; Union Carbide
Clemente Mueller	Dimitry Lapin	William Powell Co.
Clyde & Co.	Kevin Turbert	Burnham LLC
Connell Foley	Scott Press	Circuit Breaker Sales Co., Inc.
Cullen & Dykman	Austin O'Malley	Goulds Pumps; Howden N.A.
Darger Errante	Mark Friesz	Lightolier Inc.
Dickie McCamey	William Smith	84 Lumber
Eckert Seamans	Michael A. Posavetz	AO Smith Water Products
Forman Watkins	Nicole Diesa	Cooper Industries
Gibbons PC	Phillip Duffy	Yuba Heat Transfer, LLC
Harris Beach	David H. Kochman	Progress Lighting; Prescolite; Hubbell Power Systems
Hoagland Longo	Julianne Kallas	Johnson Controls
Kelley Jasons	Angela Caliendo	FMC Corp.; Square D
Kent McBride	Gregory P. Mataprese	Mine Safety Appliance
Leader & Berkon	Christine Bucca	IMO; Spirax Sarco
Margolis Edelstein	Nicholas Sulpizio	Belden Wire & Cable; Alpha Wire
Marin Goodman	Fred Goodman	Fluor Corp.
Maron Marvel	Timothy Coughlin	Velan Valve Corp.
Marshall Dennehey	Arthur Bromberg	Riley Power; Warren Pumps; Leviton; AIW; RSCC Wire & Cable
McCullough Ginsberg	Jason Schmolze	Okonite
McElroy Deutsch	Kate Chetta	Eaton; Rockwell Automation
McGivney Kluger	Thomas McNulty	Weil McLain; CCX; Marley Cooling; Graybar; Taco; Gardner Denver; Durametallc; Flowserve; Federated Dept. Stores; Grundfos Pumps; Treadwell
O'Toole Scrivo	Dennise E. Mejia	Hatzel & Buehler; US Electrical
Pascarella DiVita	Joshua Greeley	Ingersoll Rand; Trane US, Inc.; General Cable Corp.; Rheem Mfg.

Potters & Della Pietra	Michele Deluca	Stevens Institute of Technology
Reilly Janiczek	Michelle Cappuccio	Cleaver Brooks; Aurora Pump; Gould Electronics; General Wire
Rosenberg Jacobs	Chris Klabonski	Englewood Hospital
Segal McCambridge	David Kostus	Port Authority NY/NJ
Tanenbaum Keale	Afigo Fadahunsi	Borg Warner
Wilbraham Lawler	Nicholas L. Ortiz	PSE&G; Air & Liquid Systems Corp.; Siemens Industry Inc.

IT IS on this 9th day of **July, 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.

DISCOVERY

July 27, 2018 Defendants, specifically addressed at the Case Management Conference, shall serve answers to standard interrogatories by this date.

July 27, 2018 Defendants, specifically addressed at the Case Management Conference, shall serve answers to supplemental interrogatories and document requests, propounded on January 12, 2018, by this date.

August 9, 2018 Defendants, specifically addressed at the Case Management Conference, shall serve answers to supplemental interrogatories and document requests, propounded on April 24, 2018, by this date.

August 9, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

Counsel shall meet and confer regarding the defendant specific deficiencies, as alleged by plaintiff in the May 8, 2018 letter to the court, within a week of the date of the Case Management Conference. The Special Master shall be advised if counsel cannot agree on a resolution of the alleged deficiencies. Responsive information shall be provided no later than September 10, 2018.

October 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.

October 31, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

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

SUMMARY JUDGMENT MOTION PRACTICE

December 14, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 18, 2019 Summary judgment motions shall be filed no later than this date.

February 15, 2019 Last return date for summary judgment motions.

MEDICAL DEFENSE

November 30, 2018 Plaintiff shall serve medical expert reports by this date.

March 29, 2019 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

November 30, 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.

March 29, 2019 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

November 30, 2018 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.

March 29, 2019 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.

EXPERT DEPOSITIONS

April 30, 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

September 10, 2018 The settlement conference previously scheduled on this date is **cancelled**.

March 20, 2019 @ 1:30pm 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.

May 9, 2019 @ 1:30pm 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.

June 10, 2019

Trial Date. (*The November 5, 2018 trial is adjourned to this 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