

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

RONALD & ALISA SCEARCE,  <i>Plaintiff(s),</i>  vs.  3M COMPANY, et al  <i>Defendant(s).</i>
---

**Docket No: L-4657-12 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER I**

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on July 12, 2013 and the following firms appearing:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Levy Phillips & Konigsberg	Moshe Maimon	Plaintiff(s)
Bonner Kiernan	Mark Lockett	Occidental Chemical Corp.
Budd Larner	Terence Camp	Ericsson, Inc.
Caruso Smith	Stacey Lee Trien	Union Carbide
Gibbons	Robert Brown	Honeywell
Goldfein & Joseph	William Preston	Domco; Azrock
Hoagland Longo	Maryam Meseha	Exteco Inc.
Kelley Jasons	Angela Caliendo	Square D
Littleton Joyce	Jason R. Schmitz	Leviton
Lynch Daskal	Cynthia Cho	Georgia Pacific
Margolis Edelstein	Dawn Dezii	Alpha Wire; Beldon Wire & Cable
Marshall Dennehey	Lisa Only	Kaiser Gypsum
McCarter & English	Debra Perry	Raytheon Co.
McElroy Deutsch	Helen Antoniou McGowan	Eaton
McGivney Kluger	Joel Clark	Simplex Wire; Electric Switchboard
Porzio Bromberg	Jeff Pypcznski	Motorola
Rawle & Henderson	Dana Jelepiss	American Biltrite, Inc.
Speziali Greenwald	Michael Quinn	General Electric; CBS/Westinghouse
Wilbraham Lawler	Michelle H. Krisch	Mannington Mills

IT IS on this 18<sup>th</sup> day of July, 2013 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 plaintiffs' 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**

- July 22, 2013 Defendants shall serve answers to standard interrogatories by this date.
- August 16, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- September 16, 2013 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- August 16, 2013 Defendants shall propound supplemental interrogatories and document requests by this date.
- September 16, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- October 31, 2013 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.
- November 29, 2013 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

- November 5, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

- December 20, 2013 Summary judgment motions limited to product identification issues shall be filed no later than this date.
- January 17, 2014 Last return date for product identification summary judgment motions.

## **MEDICAL DEFENSE**

- July 31, 2013 Plaintiff shall serve executed amended medical authorizations by this date.
- August 16, 2013 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.
- August 16, 2013 Plaintiff shall serve additional medical expert reports by this date.
- August 16, 2013 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- January 17, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

December 6, 2013 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.

January 17, 2014 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**

December 6, 2013 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.

January 17, 2014 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**

January 31, 2014 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 28, 2014 @ 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 10, 2014 Trial Date.

**Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.**

*/s/ Vincent Le Blon*  
VINCENT Le BLON, J.S.C.

cc: Clerk, Mass Tort  
Brody Deposition Services  
Priority One