

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

Docket No: L-4657-12 (AS)

Civil Action

CASE MANAGEMENT ORDER II

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

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on October 9, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Levy Phillips & Konigsberg	David Henderson	Plaintiff(s)
Bonner Kiernan	Mark A. Lockett	Occidental Chemical Corp.
Budd Lerner	Daniel Feuerstein	Ericsson, Inc.
Caruso Smith	Richard Picini	Union Carbide
Dickie McCamey	William Smith	Anixter Inc.
Gibbons	Ethan Stein	Honeywell
Gibbons	Christopher Basilo	Sherwin Williams
Goldfein & Joseph	Willard Preston	Domco; Azrock
Hoagland Longo	Katherine Blok	Exteco Inc.
Lavin O'Neil	Michele N. Miller	RSCC Wire & Cable; TE Wire & Cable
Lynch Daskal	Cynthia Cho	Georgia Pacific
Margolis Edelstein	Jeanine D. Clark	Alpha Wire; Beldon Wire & Cable
Marshall Dennehey	Walter Klekotka	Kaiser
McCarter & English	John C. Garde	Raytheon Co.
McElroy Deutsch	Gabriel Ferstendig	Eaton; Rockwell Automotive (as successor to Allen Bradley)
Porzio Bromberg	Jeffrey Pypcznski	Motorola
Rawle & Henderson	David Samlin	American Biltrite, Inc.
Reilly Janiczek	Brandy Harris	ITT Corp.
Segal McCambridge	Christian Gannon	Mannington Mills
Speziali Greenwald	Joanne Hawkins	General Electric; CBS/Westinghouse

IT IS on this 17th day of October, 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.

DISCOVERY

- December 31, 2013 A limited deposition of the plaintiff shall be conducted by this date. It shall be limited to a direct exam as to product identification by counsel representing defendants impleaded into this matter after the plaintiff's deposition was originally taken. In the event additional product identification testimony is elicited, other counsel may cross-examine plaintiff. In addition, any counsel may inquire as to plaintiff's health status.
- December 6, 2013 Defendants shall serve answers to standard interrogatories by this date.
- December 20, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- January 24, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- December 20, 2013 Defendants shall propound supplemental interrogatories and document requests by this date.
- January 24, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- March 31, 2014 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.
- April 30, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- January 28, 2014 The settlement conference previously scheduled on this date is **cancelled**.
- May 2, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- May 9, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.
- June 6, 2014 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

- December 6, 2013 Plaintiff shall serve additional medical expert reports by this date.
- December 6, 2013 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

June 13, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

May 16, 2014 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.

June 13, 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

May 16, 2014 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.

June 13, 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

June 30, 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

June 26, 2014 @ 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.

July 14, 2014 Trial Date. *(The February 10, 2014 trial is adjourned to this 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: Mattson Madden & Leith –for Okonite
Clerk, Mass Tort
Brody Deposition Services / Priority One