

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

**Docket No:** L-6705-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER III**

ROBERT SCHAFFER (Estate of Bonnie Schaffer),  vs.  FERGUSON ENTERPRISES INC., et al	<i>Plaintiff(s),</i>    <i>Defendant(s).</i>
--	--

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on August 13, 2018:

FIRM	ATTORNEY	CLIENT
Meirowitz & Wasserberg	Samuel Meirowitz	Plaintiff(s) <i>co-counsel with Chad Young</i>
Gibbons PC	Ethan Stein	Honeywell International
Jones Law Office	Richard V. Jones	Metropolitan Life
Marks O'Neil	Jennifer Stern	J-M Manufacturing
McGivney Kluger	Kevin Hoffman	Octal, Inc.

IT IS on this 14<sup>th</sup> day of August, 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**

October 15, 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 15, 2018 Depositions of corporate representatives shall be completed by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

October 23, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 9, 2018 Summary judgment motions shall be filed no later than this date.

December 7, 2018 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

December 31, 2018 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**

October 31, 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.

December 31, 2018 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**

January 31, 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**

October 16, 2018 @ 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.

To be scheduled Final settlement conference.

February 25, 2019 Trial Date. *(The November 26, 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