

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

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

**Civil Action**

**CASE MANAGEMENT ORDER IV**

ROBERT SCHAFFER (Estate of Bonnie Schafer),  <i>Plaintiff(s),</i>  vs.  FERGUSON ENTERPRISES INC., et al  <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 October 16, 2018:

FIRM	ATTORNEY	CLIENT
Meiowitz & Wasserberg	Daniel Wasserberg	Plaintiff(s) <i>co-counsel with Chad Young</i>
Caruso Smith	Marcia DePolo	Kennedy Culvert
Jones Law Office	Richard V. Jones	Metropolitan Life
Marks O'Neil	Paul Smyth	J-M Manufacturing
McGivney Kluger	Kerryann Cook Kevin Hoffman	Octal, Inc.
McGivney Kluger	Thomas McNulty	Graybar Electric

IT IS on this 17<sup>th</sup> day of **October, 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**

November 19, 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.

November 19, 2018 Depositions of corporate representatives shall be completed by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

November 30, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

December 14, 2018 Summary judgment motions shall be filed no later than this date.

January 11, 2019 Last return date for summary judgment motions.

### MEDICAL DEFENSE

January 31, 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.

January 31, 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.

### EXPERT DEPOSITIONS

February 28, 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

December 6, 2018 @ 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.

To be scheduled Final settlement conference.

March 25, 2019 Trial Date. *(The February 25, 2019 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