

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

**Docket No: L-6180-14 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER II**

ESTATE of RICHARD SCHUYLER, <i>Plaintiff(s),</i>
vs.
3M COMPANY, 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 *February 5, 2016*:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Cohen Placitella & Roth	William Kuzmin	Plaintiff(s)
Caruso Smith	Marcia DePolo	CertainTeed; Union Carbide
Jones Law Office	Richard V. Jones	Metropolitan Life
Lynch Daskal	Kate Romick	Georgia Pacific
McGivney Kluger	Joel Clark	DAP
O'Toole Fernandez	Michael Garcia	Somerville Lumber

IT IS on this 9<sup>th</sup> day of **February, 2016**, *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**

- February 29, 2016 Defendants shall serve answers to standard interrogatories by this date.
- March 18, 2016 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- April 15, 2016 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- March 18, 2016 Defendants shall propound supplemental interrogatories and document requests by this date.
- April 15, 2016 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- May 31, 2016 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.
- June 30, 2016 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

June 10, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

July 22, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

August 5, 2016 Summary judgment motions shall be filed no later than this date.

September 2, 2016 Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

April 29, 2016 Plaintiff shall serve medical expert reports by this date.

October 7, 2016 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**

July 29, 2016 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.

October 7, 2016 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**

July 29, 2016 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.

October 7, 2016 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**

November 18, 2016 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**

July 14, 2016 @ 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.

November 16, 2016 @ 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.

December 19, 2016 Trial Date. (*The August 8, 2016 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: counsel:

Goldfein & Joseph *for ACL; Bell*

cc: Clerk, Mass Tort