

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

**Docket No: L-1125-14 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER II**

JOACHIM SCHWIEDOP,	
	<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 *January 6, 2015*:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Caruso Smith Picini	Lisa Massimi	Union Carbide
Gibbons PC	Mark R. Galdieri	Hoffman-LaRoche; Roche Laboratories
Landman Corsi	Eric Vissichelli	Lincoln Electric Co.
Lavin O'Neil	Catherine Brunermer	3M Co.
Margolis Edelstein	Ryan Buchanan	John Crane; Verona
McElroy Deutsch	Michelle Hydrusko	AO Smith; Exxon; Burnham; Lucent
McGivney Kluger	Caitlin Christie	Weil McLain; DAP Durametlic; Flowserve
Pascarella DiVita	Michael A. Posavetz	Rheem Mfg.

IT IS on this 12<sup>th</sup> day of January, 2015 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 6, 2015      As to Lincoln Electric, plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

April 30, 2015      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.

May 29, 2015      Depositions of corporate representatives shall be completed by this date.

### EARLY SETTLEMENT

June 12, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

### SUMMARY JUDGMENT MOTION PRACTICE

June 26, 2015 Summary judgment motions shall be filed no later than this date.

July 24, 2015 Last return date for summary judgment motions.

### MEDICAL DEFENSE

May 29, 2015 Plaintiff shall serve medical expert reports by this date.

May 29, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

August 31, 2015 Defendants shall identify its medical experts and serve medical expert 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

May 29, 2015 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.

August 31, 2015 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 29, 2015 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.

August 31, 2015 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

September 25, 2015 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**

May 1, 2015                                      The settlement conference previously scheduled on this date is **cancelled**.

September 16, 2015 @ 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.

October 13, 2015 (*Tuesday*)              Trial Date. (*The June 1, 2015 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  
              Brody Deposition Services  
              Priority One