

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

Docket No: L-1125-14 (AS)

Civil Action

CASE MANAGEMENT ORDER III

JOACHIM SCHWIEDOP, vs. 3M COMPANY, et al	<i>Plaintiff(s),</i> <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 April 10, 2015:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Caruso Smith Picini	Marcia DePolo	Union Carbide
Gibbons PC	Robert Brown	Hoffman-LaRoche; Roche Laboratories
Landman Corsi	Thomas McGrady	The Lincoln Electric Co.
Lavin O'Neil	Catherine Brunermer	3M Co.
Margolis Edelstein	J. Edmund Bryak	John Crane; Verona
McElroy Deutsch	Joseph D. Rasnek	AO Smith; Exxon; Burnham; Lucent; AT&T
McGivney Kluger	Joel Clark	Weil McLain; DAP; Durametallic; Flowserve
Pascarella DiVita	Brad Bishop	Rheem Mfg.

IT IS on this 10th day of April, 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

August 31, 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.

September 30, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

October 16, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

November 6, 2015 Summary judgment motions shall be filed no later than this date.

December 4, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

August 31, 2015 Plaintiff shall serve medical expert reports by this date.

August 31, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

January 15, 2016 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

October 16, 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.

January 15, 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

December 4, 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.

January 15, 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

January 29, 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

September 16, 2015 The settlement conference previously scheduled on this date is **cancelled**.

January 20, 2016 @ 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.

February 22, 2016

Trial Date. (*The October 13, 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