

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

Docket No: L-1125-14 (AS)

Civil Action

CASE MANAGEMENT ORDER XIII

ESTATE of 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 August 15, 2017:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Eckert Seamans	David Katzenstein	AO Smith
Gibbons PC	Robert Brown	Hoffman-LaRoche; Roche Laboratories
Landman Corsi	Jorkeell Echeverria	The Lincoln Electric Co.
Margolis Edelstein	Jeanine D. Clark	John Crane; Verona; Woosulate Corp.
McElroy Deutsch	Joseph D. Rasnek	Exxon; Burnham
Pascarella DiVita	Inge R. Cully	Rheem Mfg.
Porzio Bromberg	Michelle Burke	Alcatel-Lucent; AT&T

IT IS on this 16th day of August, 2017 *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 17, 2017 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.

December 15, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

December 29, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- January 19, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- February 2, 2018 Summary judgment motions shall be filed no later than this date.
- March 2, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

- January 19, 2018 Plaintiff shall serve medical expert reports by this date.
- April 2, 2018 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

- January 19, 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.
- April 2, 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.

ECONOMIST EXPERT REPORTS

- January 19, 2018 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.
- April 2, 2018 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

- April 30, 2018 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

- January 12, 2018 The settlement conference previously scheduled on this date is **cancelled**.
- April 26, 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.

May 29, 2018 (*Tuesday*)

Trial Date. (*The February 20, 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