

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

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

**Civil Action**

**CASE MANAGEMENT ORDER XVI**

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 22, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Daniel Weiss	Plaintiff(s)
Eckert Seamans	Michael A. Posavetz	AO Smith
Gibbons PC	Robert Brown	Hoffman-LaRoche; Roche Laboratories
Landman Corsi	Lorraine Belostock	The Lincoln Electric Co.
Margolis Edelstein	Nicholas Suplizio	John Crane; Verona
McElroy Deutsch	Joseph D. Rasnek	Exxon
McGivney Kluger	Caitlin Bodtmann	Weil McLain; Durametallc; DAP; Flowserve
Pascarella DiVita	Joshua Greeley	Rheem Mfg.
Porzio Bromberg	Michelle Burke	Alcatel-Lucent; AT&T

IT IS on this 22<sup>nd</sup> day of August, 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.

**EARLY SETTLEMENT**

December 21, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

October 19, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 9, 2018 Summary judgment motions shall be filed no later than this date.

December 7, 2018 Last return date for summary judgment motions.

**MEDICAL DEFENSE**

October 22, 2018 Plaintiff shall serve medical expert reports by this date.

February 8, 2019 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 22, 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.

February 8, 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.

**ECONOMIST EXPERT REPORTS**

October 22, 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.

February 8, 2019 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**

March 8, 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 13, 2018 The settlement conference previously scheduled on this date is **cancelled**.

To be scheduled Settlement conference.

April 8, 2019 Trial Date. *(The January 28, 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