

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

Docket No: L-8002-12 (AS)

Civil Action

CASE MANAGEMENT ORDER III

LISA SCIAMANNA (Estate of Jeffrey Sciamanna), vs. BW/IP INC., 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 July 6, 2016:

FIRM	ATTORNEY	CLIENT
Shivers Gosnay & Greatrex	Donald Gosnay	Plaintiff(s)
Billet & Associates	Christopher Hillsley	Kinder Morgan
McGivney Kluger	Thomas McNulty	Brand Insulation; Durametallic
Pascarella DiVita	Joshua Greeley	Ingersoll Rand
Sedgwick LLP / Speziali	Joanne Hawkins	Foster Wheeler

IT IS on this 7th day of **July, 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

- | | |
|-------------------|---|
| September 9, 2016 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| October 11, 2016 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| September 9, 2016 | Defendants shall propound supplemental interrogatories and document requests by this date. |
| October 11, 2016 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date. |
| November 11, 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. |
| December 9, 2016 | Depositions of corporate representatives shall be completed by this date. |

EARLY SETTLEMENT

December 16, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

December 16, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 6, 2017 Summary judgment motions shall be filed no later than this date.

February 3, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

October 14, 2016 Plaintiff shall serve medical expert report by this date.

March 3, 2017 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

March 3, 2017 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 7, 2017 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

March 3, 2017 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 7, 2017 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 28, 2017 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 9, 2016 The settlement conference previously scheduled on this date is **cancelled**.

April 25, 2017 @ 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.

May 22, 2017

Trial Date. (*The October 17, 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: Clerk, Mass Tort