

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

<u>SHEETMETAL II</u>	
KOECHER /Bell	L-7390-15
CAROLAN	L-5027-16

Civil Action

CASE MANAGEMENT ORDER IV

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on *June 7, 2017*:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Stacey Lee Trien	CertainTeed; Union Carbide
Connell Foley	Meghan Musso	August Arace; Frank McBride Co.; Superior Welding Supply Co.
Delany McBride	Gaston Loomis	Ductmate Ind.
Hawkins Parnell	Roy Viola	CNA Holdings / Celanese
Lavin O'Neil	Edward T. Finch	Verizon New Jersey
Margolis Edelstein	Dawn Dezii	Woolsulate; Central Jersey Supply; Passaic Metal
Marks O'Neill	Sophia Turis	Superior Boiler Works; Honeywell
McGivney Kluger	Caitlin Bodtmann	Duro Dyne; DAP; Raritan Supply
McGivney Kluger	Kevin Hoffman	Federated Dept. Stores; S. Franklin & Sons; Armistead; RCH New Co.; Ameron; TJ McGlone
Morgan Melhuish	Deborah Banfield	Novartis
Porzio Bromberg	Michelle Burke	AT&T Corp.; Alcatel-Lucent; Cytec Industries Inc.
Tierney Law Offices	Brian Garbacz	Elizabeth Industrial Supply
Wilbraham Lawler	Anisha Abraham	Karnak; Dunphey Smith

IT IS on this 7th day of **June, 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.

These matters are hereby consolidated for discovery, case management and trial.

DISCOVERY

- July 7, 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.
- July 14, 2017 Depositions of corporate representatives shall be completed by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- July 21, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- August 4, 2017 Summary judgment motions shall be filed no later than this date.
- September 1, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

- August 15, 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

- July 14, 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.
- September 15, 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.
- September 29, 2017 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

EXPERT DEPOSITIONS

- October 20, 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

- June 30, 2017 The settlement conference previously scheduled on this date is **cancelled**.
- August 1, 2017 The settlement conference previously scheduled on this date is **cancelled**.

October 4, 2017 @ 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.

November 6, 2017 Pretrial Information Exchange Form due.

November 13, 2017 **Trial-Ready** Date. (*The August 28, 2017 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