

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

Docket No: L-2093-16 (AS)

Civil Action

CASE MANAGEMENT ORDER III

MAUD SIPSKI (Estate of Francis Sipski), <i>Plaintiff(s),</i>
vs.
ASBESTOS CORPORATION LTD., 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 July 7, 2017:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Angelo Cifaldi	Plaintiff(s)
Caruso Smith	Marcia DePolo	CertainTeed
McGivney Kluger	Marc Wisel	Special Electric Co., Inc.
Weber Gallagher	Robert Ball	Mitsui

IT IS on this 10th day of July, 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

August 31, 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.

EARLY SETTLEMENT

September 15, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

September 15, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

September 29, 2017 Summary judgment motions shall be filed no later than this date.

October 27, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

- November 15, 2017 Plaintiff shall serve medical expert reports by this date.
- December 29, 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

- November 15, 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.
- December 29, 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.

EXPERT DEPOSITIONS

- January 26, 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

- August 9, 2017 The telephone settlement conference previously scheduled on this date is **cancelled**.
- January 17, 2018 @ 10:00am **Telephone** settlement conference. ***Counsel shall contact the court the day before with the telephone number of the attorney handling the conference.***
- February 12, 2018 Trial Date. *(The September 5, 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: counsel:

Goldfein & Joseph for ACL; Bell

cc: Clerk, Mass Tort