

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

**Docket No:** L-2134-18 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

RONALD SNYDER & MARY CRODDICK SNYDER, <i>Plaintiff(s),</i>
vs.
BASF CORPORATION, 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 5, 2018*:

FIRM	ATTORNEY	CLIENT
Belluck & Fox	William Papain	Plaintiff(s)
Caruso Smith	Marcia DePolo	Union Carbide
DLA Piper	Cory Sidelsky	BASF Catalysts
Duane Morris	Dawnn E. Briddell	Raymond Corp.
Gibbons PC	Robert Brown	Honeywell International
Goldberg Segalla	Elizabeth Weill	Navistar, Inc.
Harwood Lloyd	Leidy Gutierrez	Carlisle
Hoagland Longo	Ibrahim Kosoko	Whittaker Clark & Daniels
Lavin O'Neil	Jonathan Talamini	Daimler Trucks North America
McElroy Deutsch	Andrew F. Bain	Eaton Corp.; Rockwell Automation; Pfizer
McGivney Kluger	Jennifer Hally	HM Royal, Inc.
O'Toole Scrivo	Gary Van Lieu	Vanderbilt
Rawle & Henderson	Paul Smyth	Mack Trucks Inc.; Cyprus Amax Minerals;
Reilly McDevitt	Adrianna Astringer	Eaton Hydraulics
Wilbraham Lawler	Lynn Roberts III	Great Dane; Kelsey-Hayes

IT IS on this 6<sup>th</sup> day of **July, 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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

**DISCOVERY**

July 20, 2018                      Defendants shall serve answers to standard interrogatories by this date.

August 3, 2018                    Plaintiff shall propound supplemental interrogatories and document requests by this date.

- September 4, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- August 3, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.
- September 4, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- October 31, 2018 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.
- October 31, 2018 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- November 9, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- November 9, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- November 23, 2018 Summary judgment motions shall be filed no later than this date.
- December 21, 2018 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- November 16, 2018 Plaintiff shall serve medical expert reports by this date.
- November 16, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- January 31, 2019 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 16, 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.
- January 31, 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**

- November 16, 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.
- January 31, 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**

February 28, 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**

February 5, 2019 @ 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.

March 18, 2019      Pretrial Information Exchange submissions due.

March 25, 2019      Trial-Ready 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