

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

Docket No: L-8062-10 (AS)

Civil Action

CASE MANAGEMENT ORDER II
AMENDED

ANTONIO SPINA,

Plaintiff(s),

vs.

AJ FRIEDMAN SUPPLY CO., et al

Defendant(s).

This matter having previously come in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on June 9, 2011 with the following firms appearing:

FIRM	ATTORNEY	CLIENT
<i>Wilentz Goldman & Spitzer</i>	<i>Angelo Cifaldi, Esq. / and Philip Tortoreti, Esq.</i>	<i>Plaintiff(s)</i>
<i>Braaten & Pascarella</i>	<i>Michael A. Posavetz, Esq.</i>	<i>Trane US, Inc.; Flowmatic Corp.</i>
<i>Caruso Smith</i>	<i>Carol Fine, Esq.</i>	<i>Union Carbide; CertainTeed</i>
<i>Connell Foley</i>	<i>Meghan Musso, Esq.</i>	<i>August Arace; Palermo Supply</i>
<i>Cozen O'Connor</i>	<i>Sara A. Frey, Esq.</i>	<i>Hatzel & Buehler</i>
<i>Epstein Cohen Gilberti</i>	<i>Michael Gilberti, Esq.</i>	<i>Crane co.</i>
<i>Gibbons</i>	<i>Richard Reinartz, Esq.</i>	<i>Hoffman-La Roche</i>
<i>Hardin Kundla</i>	<i>Cynthia Lee, Esq.</i>	<i>Aaron & Co.; Calon; John Zink;</i>
<i>Hoagland Longo</i>	<i>Mark Wasef, Esq.</i>	<i>Abe Gruber; AGL Welding; Airgas/Jersey Welding; Burnham; Davidsen & Howard; Thermatic; York; WW Grainger</i>
<i>Kent McBride</i>	<i>Lisa Perez, Esq.</i>	<i>TJ McGlone; Binsky & Snyder</i>
<i>Margolis Edelstein</i>	<i>Chris Kelleher, Esq.</i>	<i>Verona Supply; Ideal Supply; General Plumbing; Engineering & Refrigeration Inc.; Monsen Engineering Co.; Woosulate; CFC Distributing Co.; Charles Connelly</i>
<i>Marks O'Neill</i>	<i>Kris Nejat, Esq.</i>	<i>Van Houten Plumbing & Heating Supply Co.</i>
<i>Marshall Dennehey</i>	<i>Paul Johnson, Esq.</i>	<i>Air Products; Riley Stoker</i>
<i>Mayfield Turner</i>	<i>Christine McGuire, Esq.</i>	<i>Utica Boilers, Inc.; Carrier Corp.</i>
<i>McElroy Deutsch</i>	<i>Denise D. Harris, Esq.</i>	<i>AO Smith</i>
<i>McGivney Kluger</i>	<i>Joel Clark, Esq. / and Michael Lazarus, Esq. / and Caitlin Christie, Esq.</i>	<i>Sid Harvey; Madsen & Howell; Fairbanks; Weil McLain; Taco; Armstrong Pumps; Grundfos; Nutley Heating; Johnston Supply; Sporlan Valve; Manhattan Welding; Marley Cooling Tower; White & Shauger; L&H Plumbing</i>

<i>Nelson Levine</i>	<i>Jeannie Park, Esq.</i>	<i>Zy-Tech</i>
<i>O'Toole Fernandez</i>	<i>Charles Savoth, Esq.</i>	<i>Dana; Sanders; National Combustion; James Plumbing; Central Engineering; Peerless Ind.</i>
<i>Reilly Janiczek</i>	<i>Colin Scanlon, Esq.</i>	<i>ITT; Cleaver Brooks; Hilco Inc. (individually and as successor to Universal Supply Group, Inc.)</i>
<i>Segal McCambridge</i>	<i>Kevin Turbert, Esq.</i>	<i>Victaulis</i>
<i>Speziali Greenwald</i>	<i>Joanne Hawkins, Esq.</i>	<i>Foster Wheeler</i>
<i>Tierrney Law Office</i>	<i>Todd Arno, Esq.</i>	<i>AJ Friedman Supply Co., Inc.</i>
<i>Weiner Lesniak</i>	<i>Helen Griff Chalier, Esq.</i>	<i>Robert A. Keasbey</i>
<i>Wilbraham Lawler</i>	<i>Tonya M. Harris, Esq.</i>	<i>Dunphey Smith</i>
<i>Wilson Elser</i>	<i>Joseph A. Gallo, Esq.</i>	<i>Ductmate</i>

IT IS on this 3rd day of JANUARY, 2012 Case Management Order II is hereby

AMENDED 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

- March 5, 2012 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- March 15, 2012 Defendants shall serve answers to standard interrogatories by this date.
- April 5, 2012 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- May 7, 2012 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- April 5, 2012 Defendants shall propound supplemental interrogatories and document requests by this date.
- May 7, 2012 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- July 13, 2012 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 13, 2012 Depositions of corporate representatives shall be completed by this date.

SUMMARY JUDGMENT MOTION PRACTICE

August 31, 2012 Summary judgment motions limited to product identification issues shall be filed no later than this date.

September 28, 2012 Last return date for product identification summary judgment motions.

POST SUMMARY JUDGMENT SETTLEMENT CONFERENCE

March 1, 2012 The settlement conference previously scheduled on this date is **CANCELLED**.

October 30, 2012 @ 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.

Case Management Conference to follow, if necessary.

MEDICAL DEFENSE

March 5, 2012 Plaintiff shall serve executed medical authorizations by this date.

April 5, 2012 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

November 7, 2012 Plaintiff shall serve additional medical expert reports by this date.

November 7, 2012 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

January 7, 2013 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

October 31, 2012 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.

November 30, 2012 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.

December 28, 2012 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

November 30, 2012 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.

December 31, 2012 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.

PRE-TRIAL AND TRIAL

To be scheduled Final settlement conference.

February 4, 2013 Trial Date. *(The April 30, 2012 trial is adjourned to this date.)*

Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Ann G. McCormick
ANN G. McCORMICK, J.S.C.

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One
Marshall Conway – Adam Golub, Esq. -for Slant/Fin