

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

ROBERT & RENAYE STAFFORD,  
*Plaintiff(s),*  
vs.  
BADGER COMPANY, INC., et al  
*Defendant(s).*

**Docket No: L-5667-15 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER II**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on *February 1, 2017*:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Wilentz Goldman & Spitzer	Jon Kupilik Angelo Cifaldi	Plaintiff(s)
Gibbons	Alan Gries	Cornell & Co.
Marshall Dennehey	Christopher B. Block	Thomas Scientific
McCarter & English	John C. Garde	Fisher Scientific, Inc.
McElroy Deutsch	Joseph D. Rasnek	ExxonMobil Corp.
Rawle & Henderson	John McMeekin	Henkels & McCoy

IT IS on this 2<sup>nd</sup> day of **February, 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**

- February 15, 2017 Defendants shall serve answers to standard interrogatories by this date.
- February 15, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- February 15, 2017 Defendants shall identify their corporate representatives and/or trial witnesses and provide transcripts of prior testimony, if any, no later than this date.
- March 15, 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.
- March 15, 2017 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

- March 17, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.
- March 30, 2017 The settlement conference previously scheduled on this date is **cancelled**.
- April 21, 2017 @ 10:00am Early 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.

## **SUMMARY JUDGMENT MOTION PRACTICE**

- March 16, 2017 Summary judgment motions shall be filed no later than this date.
- April 13, 2017 Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

- July 7, 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**

- June 1, 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.
- July 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**

- June 1, 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.
- July 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**

- July 21, 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**

- July 6, 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.
- July 24, 2017 Pretrial Information Exchange Form due.
- July 31, 2017 **Trial-Ready** Date. (*The June 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: Clerk, Mass Tort