

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

**Docket No:** L-5850-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER III**

ESTATE of ROBERT STAHR, <i>Plaintiff(s),</i>
vs.
3M COMPANY, 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 March 14, 2018:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide
Gibbons PC	Robert Brown	Honeywell
Goldfein & Joseph	Madhurika Jeremiah	ACL
Lavin O'Neil	LaWanda D. White	Verizon New Jersey
McGivney Kluger	Joel Clark	DAP; Graybar
Porzio Bromberg	Michelle Burke	AT&T; Alcatel Lucent USA, Inc.; Nokia
Vasios Kelly	Thomas J. Kelly, Jr.	Bird

IT IS on this 14<sup>th</sup> day of **March, 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.

**DISCOVERY**

- March 29, 2018      DAP, Bird, and Verizon shall serve answers to standard interrogatories by this date.
- March 29, 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.
- April 20, 2018      Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

- May 11, 2018      Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

- May 11, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- May 25, 2018 Summary judgment motions shall be filed no later than this date.
- June 22, 2018 Last return date for summary judgment motions.

**MEDICAL DEFENSE**

- April 30, 2018 Plaintiff shall serve medical expert reports by this date.
- July 31, 2018 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**

- May 15, 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.
- July 31, 2018 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**

- August 31, 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 2, 2018 @ 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.
- October 1, 2018 Trial Date. *(The September 10, 2018 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