

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

**Docket No: L-603-13 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER I**

DEWEY STRAUSS,
<i>Plaintiff(s),</i>
vs.
AJ FRIEDMAN SUPPLY CO., INC., 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 August 14, 2014:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Abby Resnick-Parigian	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	GPC: NAPPA
Bucca & Campisano	Christine Bucca	IMO
Budd Larner	Sonya Longo	NACCO Materials Handling Group; TVH Parts Co.
Carroll McNulty	Kate Hyde	Spriax Sarco
Duane Morris	Dawn E. Briddell	The Raymond Corp.
Gibbons PC	Mark R. Galdieri	Honeywell International Inc.
Hawkins Parnell	Roy Viola	Abex
Hoagland Longo	Jason Gosnell	AGL Welding; Standard Magneto Sales Co., Inc.; Borg Warner
Langsam Stevens	Jeannie Lee	Zy-Tech
LeClair Ryan	Michael Goldklang	Ford
Margolis Edelstein	Ryan Buchanan	Central Jersey Supply; Woolsulate
Marks O'Neill	Sebastian Goldstein	Caterpillar; Midland Ross; Performance Ind.
McGivney Kluger	Caitlin Christie	Fairbanks
O'Toole Fernandez	John V. Kelly, III	Barclay Brand Corp.
Salmon Ricchezza	John Dugan	Material Handling Supply
Sedgwick LLP	Bridget Polloway	Toyota
Segal McCambridge	Michael F. Gorman	Clark Equipment
Swartz Campbell	Gregory Stokes	Crown Equipment
Tierney Law Office	Mark Turner	Elizabeth Industrial; AJ Friedman Supply; Major Inc.
Wilbraham Lawler	Andrea Greco	Greene Tweed

IT IS on this 18<sup>th</sup> day of August, 2014 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 plaintiffs' 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**

- November 21, 2014 Plaintiff shall serve answers to standard interrogatories, provide the information required by paragraph VI.B.1.a. of the General Order, and shall advise defendants whether the plaintiff is available for deposition and, if not, the reasons therefore by this date.
- December 12, 2014 Defendants shall serve answers to standard interrogatories by this date.
- December 31, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- January 30, 2015 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- December 31, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.
- January 30, 2015 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- March 20, 2015 Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date.
- April 30, 2015 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.
- June 12, 2015 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- August 14, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- July 10, 2015 Summary judgment motions shall be filed no later than this date.
- August 7, 2015 Last return date for summary judgment motions.

## MEDICAL DEFENSE

- November 21, 2014 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.
- November 21, 2014 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.
- May 29, 2015 Plaintiff shall serve medical expert reports by this date.
- August 31, 2015 The defense medical examination of plaintiff(s) shall be completed by this date.
- September 30, 2015 Defendants shall identify its medical experts and serve medical expert 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

- September 11, 2015 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.
- October 13, 2015 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

- September 11, 2015 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.
- October 13, 2015 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

- November 6, 2015 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 20, 2015 @ 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 29, 2015 @ 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.

November 30, 2015

Trial 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  
Brody Deposition Services  
Priority One