

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

Docket No: L-3056-17 (AS)

Civil Action

CASE MANAGEMENT ORDER II

JOHN SZATKOWSKI, vs. DAP INC., et al	<i>Plaintiff(s),</i> <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 19, 2019:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon G. Kupilik	Plaintiff(s)
Flynn Watts	Michael Moroney	Spirax Sarco
Hoagland Longo	Chris Boglioli	Industrial Welding Supply; Superior Welding & Boiler
Leader & Berkon	Christine Bucca	IMO Industries
Margolis Edelstein	Jeanine D. Clark	Ernst Gage; Woolsulate; Central Jersey Supply
McGivney Kluger	Thomas McNulty	Marley; Manhatten Welding; Zurn
McGivney Kluger	Wendy Kagan	Madsen & Howell; Raritan Supply; Major Inc.; DAP; Elizabeth Ind. Hardware; Fairbanks, SM Electric; John C. Ernst Co.
O'Toole Scrivo	Gary Van Lieu	E&B Mill Supply; Hatzel & Buehler
Swartz Campbell	Walter McDonogh	Riverside Supply Co.

IT IS on this 19th day of July 2019, *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*.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

DISCOVERY

August 16, 2019

Major Inc. and McMaster Carr shall serve answers to standard interrogatories by this date.

August 16, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

August 16, 2019 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

November 29, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 10, 2019 @ 10:00am Early settlement conference.

MEDICAL EXPERT REPORT

August 30, 2019 Plaintiff shall serve updated medical expert report by this date.

March 6, 2020 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

January 17, 2020 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

March 6, 2020 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

January 17, 2020 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.

March 6, 2020 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

April 3, 2020 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

April 2, 2020 @ 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.

May 4, 2020

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: Counsel:

Littleton Park for McMaster Carr

cc: Clerk, Mass Tort