

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

Docket No: L-7142-16 (AS)

Civil Action

CASE MANAGEMENT ORDER I

ESTATE of VINCENT TAMBURRO, <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 June 7, 2017:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Stacey Lee Trien	CertianTeed; Union Carbide
DeCotiis Fitzpatrick	Michael Moroney	Copes Vulcan
Delany McBride	Ariana Seidel	Peerless Boilers
Eckert Seamans	Stephanie Coleman	AO Smith
Landman Corsi	Jorkeell Echeverria	Utica Boilers
Lavin O'Neill	Donna Candelora	3M Co.
Lynch Daskal	Alexandra Ober	Georgia Pacific
Marks O'Neill	Sophia Turis	Columbia Boiler; Superior Boiler
Mayfield Turner	Robert Gillispie	Carrier Corp.
McGivney Kluger	Caitlin Bodtmann	Weil McLain
Pascarella DiVita	Inge R. Cully	Trane US Inc., Crane Co.; Rheem Mfg. Co.
Reilly Janiczek	Adrianna Exler	Crown Boiler
Troutman Sanders	Joanne Rogers	Mestek, Inc.
Vasios Kelly	Robert J. Logan	Bird

IT IS on this 7th day of **June, 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.

Defense counsel shall notify plaintiff's 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

June 9, 2017 Plaintiff shall serve answers to standard interrogatories.

June 9, 2017 Plaintiff shall serve answers to wrongful death interrogatories by this date.

June 23, 2017 Defendants shall serve answers to standard interrogatories by this date.

July 14, 2017 Plaintiff shall propound supplemental interrogatories and document requests by this date.

August 18, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

July 14, 2017 Defendants shall propound supplemental interrogatories and document requests by this date.

August 18, 2017 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

September 29, 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.

October 31, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

November 3, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

November 3, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 17, 2017 Summary judgment motions shall be filed no later than this date.

December 15, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

June 9, 2017 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

June 9, 2017 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

November 3, 2017 Plaintiff shall serve medical expert reports by this date.

January 16, 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.

February 16, 2018 Plaintiff shall serve a rebuttal expert medical report, if any, by this date.

LIABILITY EXPERT REPORTS

November 3, 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.

January 16, 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.

February 16, 2018 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

EXPERT DEPOSITIONS

March 16, 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

March 14, 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.

April 16, 2018 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