

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

Docket No: L-7142-16 (AS)

Civil Action

CASE MANAGEMENT ORDER II

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 December 6, 2017:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Alexandra Caruso	CertianTeed; Union Carbide
DeCotiis Fitzpatrick	Michael Moroney	Copes Vulcan
Delany McBride	Arianna Seidel	Peerless
Eckert Seamans	Stephanie Coleman	AO Smith
Hack Piro	Robert Alencewicz	HB Smith
Landman Corsi	Joseph Tomaino	ECR International (Utica)
Lavin O'Neill	Donna Candelora	3M Co.
Mayfield Turner	Sara Saltzman	Carrier Corp.
McElroy Deutsch	Stephanie Lopez	Burnham LLC
McGivney Kluger	Yuri Adlrich	Weil McLain
Pascarella DiVita	Stephanie DiVita	Trane US Inc., Crane Co.; Rheem Mfg. Co.
Reilly Janiczek	Adrianna Exler	Crown Boiler
Troutman Sanders	Joanne P. Rogers	Mestek, Inc.

IT IS on this 7th day of **December, 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 28, 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.
- March 30, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

April 13, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

April 13, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 27, 2018 Summary judgment motions shall be filed no later than this date.

May 25, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

March 30, 2018 Plaintiff shall serve medical expert reports by this date.

July 29, 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.

August 17, 2018 Plaintiff shall serve a rebuttal expert medical report, if any, by this date.

LIABILITY EXPERT REPORTS

April 30, 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 29, 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.

August 17, 2018 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

EXPERT DEPOSITIONS

September 14, 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 The settlement conference previously scheduled on this date is **cancelled**.

September 20, 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. (*Please note date change.*)

October 15, 2018

Trial Date. (*The April 16, 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