

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

**Docket No: L-6763-09(AS)**

JOSEPH TELLADO (Estate of Fred Tellado),  <i>Plaintiff(s),</i>  vs.  FMC CORPORATION, et al  <i>Defendant(s).</i>
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**Civil Action**

**CASE MANAGEMENT ORDER IV**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on June 17, 2014:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Cohen Placitella & Roth	Gonen Haklay	Plaintiff(s)
Kelley Jasons	Angela Caliendo	FMC Corp.
McGivney Kluger	Joel Clark	Resco Holdings

IT IS on this 18<sup>th</sup> day of June, 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.

**DISCOVERY**

August 18, 2014 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.

September 19, 2014 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

September 4, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

September 26, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

October 24, 2014 Summary judgment motions shall be filed no later than this date.

November 21, 2014 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

September 30, 2014 Plaintiff shall serve medical expert reports by this date.

September 30, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

November 28, 2014 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**

October 17, 2014 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.

November 28, 2014 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**

December 31, 2014 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**

December 10, 2014 @ 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.

January 26, 2015 Trial Date. *(The September 15, 2014 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  
Brody Deposition Services  
Priority One