

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

Docket No: L-4190-15 (AS)

Civil Action

CASE MANAGEMENT ORDER IV

DOLORES TOTH (Estate of Joseph Toth), vs. AJ FRIEDMAN SUPPLY CO., INC., et al	<i>Plaintiff(s),</i>
	<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 16, 2017:

FIRM	ATTORNEY	CLIENT
Keefe Law Firm	Jennifer Ruhl	Plaintiff(s)
Caruso Smith	Marcia DePolo	CertainTeed; AMC
Connell Foley	Scott Press	Lawton & Burns, Inc.; Frank A. McBride Co.
Eckert Seamans	David Katzenstein	AO Smith
Gibbons PC	Daniel Dorfman	Honeywell Int.
Goldfein & Joseph	Madhurika Jeremiah	Atlas Turner; ACL; Bell
Hack Piro	Robert Alencewicz	Johansen
Hardin Kundla	Nicea D'Annunzio	Calon; Aaron & Co.
Hoagland Longo	Jillian Madison	Westfield Plumbing & Heating; Superior Welding & Boiler
Kelley Jasons	Angela Caliendo	Sterling Fluid Systems
Landman Corsi	Elyse Schier	ECR
Lynch Daskal	Troy P. Cunningham	Georgia Pacific
Margolis Edelstein	Dawn Dezii	Industrial Rubber; Woolsulate
Marks O'Neill	Sophia Tyris	Bayonne Plumbing; Atlantic Plumbing
Maron Marvel	Lina Carreras	Industrial Holdings Corp.
McElroy Deutsch	Joseph D. Rasnek	Chevron USA; Burnham
McGivney Kluger	Christopher M. Longo	Madsen & Howell; Weil McLain; Raritan Supply; Binsky & Snyder
O'Toole Scrivo	Max S. Sverdlove	WA Birdsall
Pascarella DiVita	Inge R. Cully	Ingersoll Rand; Trane US; Rheem Mfg.
Reilly Janiczek	Lauren R. Hough	Cleaver Brooks Inc.
Tanenbaum Keale	Maryam Meseha	Foster Wheeler; Borg Warner
Tierney Law	Brian Garbacz	Elizabeth Industrial; AJ Friedman Supply
Willbraham Lawler	Matthew Jones	PSE&G Power LLC; South Amboy Plumbing Supply

IT IS on this 17th day of August, 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

October 16, 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 16, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 15, 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

October 16, 2017 Plaintiff shall serve any additional medical expert reports by this date.

October 16, 2017 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

December 4, 2017 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 16, 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.

March 30, 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.

ECONOMIST EXPERT REPORTS

January 16, 2018 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 30, 2018 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 27, 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

October 26, 2017 @ 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 5, 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.

May 21, 2018 Trial Date. (*The December 18, 2017 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