

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

Docket No: L-8247-12 (AS)

Civil Action

CASE MANAGEMENT ORDER IX

ARLINGTON & ANGELA TROXELL, <i>Plaintiff(s),</i>
vs.
84 LUMBER CO., 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 November 28, 2018:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Lynne Kizis	Plaintiff(s)
DeCotiis Fitzpatrick	Michael Moroney	Pro Build
Dickie McCamey	William J. Smith	84 Lumber; Tasco
Eckert Seamans	Ezra Alter	AO Smith
Forman Watkins	Nicole Diesa	Cooper Industries
Hoagland Longo	Ibrahim Kosoko	Chicago Wilcox
Kelley Jasons	Angela Caliendo	Square D; Henkels & McCoy
Littleton Park	Christine Emery	McMaster Carr
Margolis Edelstein	Nicholas Sulpizio	URS E&C
McCarter & English	Debra Perry	Fisher Scientific
McGivney Kluger	Caitlin Bodtmann	Sloan Valve; Weil McLain; Flowserve
O'Toole Scrivo	Gary Van Lieu	IMI Cash Valve; Buist
Wilbraham Lawler	James F. Tate	Eastern Penn Supply Co.
Vasios Kelly	Douglas Singleterry	Armstrong International; Argo International

IT IS on this 28th day of November, 2018, *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

- | | |
|-------------------|--|
| December 14, 2018 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| January 18, 2019 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| December 14, 2018 | Defendants shall propound supplemental interrogatories and document requests by this date. |
| January 18, 2019 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date. |

February 15, 2019 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.

February 15, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

December 21, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

March 1, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

March 15, 2019 Summary judgment motions shall be filed no later than this date.

April 12, 2019 Last return date for summary judgment motions.

MEDICAL DEFENSE

February 28, 2019 Plaintiff shall serve a expert medical report by this date.

LIABILITY EXPERT REPORTS

February 28, 2019 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.

May 17, 2019 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

February 28, 2019 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.

May 17, 2019 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

June 7, 2019 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 12, 2018 The settlement conference previously scheduled on this date is **cancelled**.

February 1, 2019 @ 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 30, 2019 @ 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.

June 17, 2019 Pretrial Information Exchange submissions due.

June 24, 2019 Trial-Ready Date. (*The January 14, 2019 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