

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

Docket No: L-1933-12 (AS)

Civil Action

CASE MANAGEMENT ORDER II

RACHELE & DAVID VENTRES, <p style="text-align: center;"><i>Plaintiff(s),</i></p> vs. 002 AUTO PARTS, INC., et al <p style="text-align: center;"><i>Defendant(s).</i></p>	
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This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on August 9, 2012 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Levy Phillips & Konigsberg	John Guinan	Plaintiff(s)
Bodell Bove	David Shafie	BWP Distributors
Brueninger & Fellman	Kathleen Romalho	NAPA
Caruso Smith	Ronald S. Suss	Union Carbide
Eckert Seamans	Michael Kinkopf	Ford
Gibbons	Ethan Stein	Honeywell
Goldberg Segalla	Bonnie Hanlon	R. Bosch
Hardin Kundla	Nicea D'Annunzio	Harley Davidson
Hoagland Longo	Carl Figueroa	Borg Warner
Lavin O'Neil	Catherine Brunermer	3 M Company
Maron Marvel	Jennifer McGarrity	IHC
Marshall Dennehey	Helen Graff Chaler	NMBFIL, Inc.
McElroy Deutsch	Michelle Hydrusko	Allen-Bradley
McGivney Kluger	Thomas McNulty	Permatex; Vermont Talc
McGowan Law Office	John S. McGowan	Sears
O'Toole Fernandez	Leslie Lombardy	Dana Co.
Porzio Bromberg	Christopher P. DePhillips	DuPont
Smith Abbot	Roy Viola	Abex
Wilbraham Lawler	John Fitzpatrick	Maremont

IT IS on this 13th day of August, 2012 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

November 30, 2012 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.

December 31, 2012 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

October 24, 2012 The Settlement Conference previously scheduled on this date is **CANCELLED**.

January 11, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

January 25, 2013 Summary judgment motions limited to product identification issues shall be filed no later than this date.

February 22, 2013 Last return date for product identification summary judgment motions.

OTHER MOTION

February 8, 2013 Filing date.

March 8, 2013 Return date.

MEDICAL DEFENSE

November 30, 2012 Plaintiff shall serve additional medical expert reports by this date.

November 30, 2012 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

March 22, 2013 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

March 22, 2013 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.

April 19, 2013 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

April 30, 2013 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

April 17, 2013 @ 1:30pm

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 20, 2013

Trial Date. (*The December 17, 2012 trial is adjourned to this date.*)

Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Ann G. McCormick
ANN G. McCORMICK, J.S.C.

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One