

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

Docket No: L-2399-17 (AS)

Civil Action

CASE MANAGEMENT ORDER II

CHARLES WAIVER,	<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 *February 8, 2018*:

FIRM	ATTORNEY	CLIENT
Simmons Hanly	Laurence Nassif Jim Kramer	Plaintiff(s)
Connell Foley	Scott Press	PSE&G
Garrity Graham	Anthony Marino	United Conveyor
Gibbons PC	Phillip J. Duffy	Yuba Heat Transfer
Hardin Kundla	Cynthia Lee	Calon Insulation
Hoagland Longo	Amie Kalac	WW Grainger
Lavin O'Neil	Catherine Brunermer	3M Co.
Leader & Berkon	Joseph Fontak	Spirax Sarco; Copes Vulcan
Lynch Daskal	Andrew Mundo	Gerard Packing
Margolis Edelstein	Joshua Sonstein	John Crane Inc.
Maron Marvel	Lina C. Flanigan	Industrial Holdings Corp.
Marshall Dennehey	Paul Johnson	Riley Power
McGivney Kluger	Joel Clark	Madsen & Howell; Raritan Supply; Durametalllic; Detroit Stoker
Pascarella DiVita	John S. McGowan	Crane Co.; Trane US Inc.
Rawle & Henderson	Linda Dobbins	Henkels & McCoy
Styliades Mezzanotte	Alphonso Ibrahim	HM Royal
Vasios Kelly	Thomas J. Kelly, Jr.	Armstrong International
Wilbraham Lawler	Benjamin Salvina	Air & Liquid Systems (Buffalo Pumps)
Wildstein Law Firm	Mel Shuster	Tri-City Insulation

IT IS on this 12th day of February, 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

April 30, 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.

May 31, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

June 8, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

June 8, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

June 22, 2018 Summary judgment motions shall be filed no later than this date.

July 20, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

June 1, 2018 Plaintiff shall serve medical expert reports by this date.

June 1, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

September 7, 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.

LIABILITY EXPERT REPORTS

June 1, 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.

September 7, 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.

EXPERT DEPOSITIONS

October 9, 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

April 27, 2018 The settlement conference previously scheduled on this date is **cancelled**.

October 17, 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.

November 13, 2018 Trial Date. (*The June 25, 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