

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

**Docket No:** L-5558-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

DAVID WILLIAMS (Estate of Nancy Williams),  vs.  3M COMPANY, et al	<i>Plaintiff(s),</i>     <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on May 2, 2018:

FIRM	ATTORNEY	CLIENT
Locks Law Firm	Melanie Garner	Plaintiff(s)
Breuninger Fellman	Raymond Chow	National Automotive Parts Association
Caruso Smith	Nicholas Albano, III	CertainTeed
Eckert Seamans	Christopher Bladel	AO Smith Water Products Co.
Gibbons PC	Daniel Dorfman	Honeywell International
Hack Piro	Reiah Etwaroo	HB Smith
Harwood Lloyd	Russell Pepe	Carlisle
Hoagland Longo	Daniel Kuzmerski	Kohler Co.; Essex Plumbing
Landman Corsi	Aleander Imel	Fel-Pro; ECR
Lavin O'Neil	Donna Candelora	3M Co.
LeClair Ryan	Gary M. Sapir	Ford Motor Co.
Lewis Brisbois	Steven T. Corbin	Henkel Corp.
Locke Lord LLP	Lisa Ruggiero	Tenneco Autoivoive
Margolis Edelstein	Dawn Dezii	General Plumbing Supply
Marshall Conway	Stacey Snyder	Slant Fin Corp.
Marshall Dennehey	Paul Johnson	Jaeger Lumber; Pep Boys
Methfessel Werbel	Charles T. McCook, Jr.	AutoZone
Pascarella DiVita	Bradley E. Bishop	Trane US
Rawle & Henderson	Paul Smyth	Hajoca
Swartz Campbell	Laura A. Bartow	Samuels, Inc.
Wilbraham Lawler	Lynn E. Roberts, III	Karnak Corp.

IT IS on this 3<sup>rd</sup> day of May, 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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

## **DISCOVERY**

- May 31, 2018 Plaintiff shall serve answers to standard interrogatories.
- May 31, 2018 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- June 15, 2018 Defendants shall serve answers to standard interrogatories by this date.
- June 29, 2018 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- August 3, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- June 29, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.
- August 3, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- September 14, 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.
- September 14, 2018 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

- October 19, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

- October 19, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- November 2, 2018 Summary judgment motions shall be filed no later than this date.
- November 30, 2018 Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

- May 31, 2018 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.
- May 31, 2018 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.
- October 19, 2018 Plaintiff shall serve medical expert reports by this date.
- January 31, 2019 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**

- October 19, 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.
- January 31, 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**

- October 19, 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.
- January 31, 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**

- February 28, 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**

- February 6, 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.
- March 25, 2019 Trial 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