

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

**Docket No:** L-6347-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

RONALD & SHEILA WILSON, <i>Plaintiff(s),</i>
vs.
AW CHESTERTON 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 December 19, 2017:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Simmons Hanly	Laurence Nassif Jim Kramer	Plaintiff(s)
Clemente Mueller	Jessie Christine Basner	William Powell Co.
Dickie McCamey	William Smith	Nagle Pumps
Hoagland Longo	Jillian Madison	Johnson Controls, Inc.
Leader & Berkon	Christine Bucca	IMO Ind.; Copos Vulcan
Margolis Edelstein	Dawn Dezii	John Crane Inc.
Maron Marvel	Timothy Coughlan	Velan Valve Corp.
Marshall Dennehey	Paul Johnson	Warren Pumps; Riley Power
McCarter & English	Chris Rojao	Hercules
McElroy Deutsch	Charles Benjamin	Flowserve
McGivney Kluger	Thomas McNulty	Brand Insulations; Durametallc; Gardner Denver; Flowserve; Ameron International
McGowan Law Office	John McGowan	Sears
O'Toole Scrivo	Gary Van Lieu	IMI Cash Valve Inc.
Pascarella DiVita	Joshua Greeley	Crane Co.; Trane US., Inc.
Reilly Janiczek	Adrianna Exler	Aurora Pump; DeZurik
Vasios Kelly	Thomas J. Kelly, Jr.	Armstrong International, Inc.

IT IS on this 4<sup>th</sup> day of **January, 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**

January 12, 2018      Plaintiff shall serve answers to standard interrogatories.

January 26, 2018 Defendants shall serve answers to standard interrogatories by this date.

February 2, 2018 Plaintiff shall propound supplemental interrogatories and document requests by this date.

March 2, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

February 2, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.

March 2, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

March 30, 2018 Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date.

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.

April 30, 2018 Depositions of corporate representatives shall be completed by this date.

#### **EARLY SETTLEMENT**

May 4, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

#### **SUMMARY JUDGMENT MOTION PRACTICE**

May 11, 2018 Summary judgment motions shall be filed no later than this date.

June 8, 2018 Last return date for summary judgment motions.

#### **MEDICAL DEFENSE**

January 12, 2018 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

January 12, 2018 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

July 27, 2018 Plaintiff shall serve medical expert reports by this date.

September 14, 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**

July 27, 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 14, 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**

July 27, 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.

September 14, 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**

October 5, 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**

September 7, 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.

October 15, 2018 Pretrial Information Exchange submissions due.

October 22, 2018 Trial-Ready 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