

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

Docket No: L-3158-17 (AS)

Civil Action

CASE MANAGEMENT ORDER I

ESTATE of WILLIAM O'NEILL, <i>Plaintiff(s),</i>
vs.
AARON & 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 May 23, 2018:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Connell Foley	Richard Jagen	August Arace
Eckert Seamans	Christopher Bladel	JCP&L
Hack Piro	Robert Alencewicz	Johansen
Hardin Kundla	Cynthia Lee	Aaron & Co.; Calon Insulation
Hoagland Longo	Jillian Madison	Superior Welding & Boiler
Margolis Edelstein	Dawn Dezii	Woolsulate
Marshall Dennehey	Jessica Wachstein Ana Marina McCann	Riley Power Insulation Materials Corp.
McGivney Kluger	Caitlin Bodtmann	Madsen & Howell; Raritan Supply; Brand Insulation; John Wallace
Pascarella DiVita	Bradley F. Bishop	Ingersoll Rand
Rawle & Henderson	Sebastian Goldstein	Nicholas Schwalje
Reilly McDevitt	Adrianna Astringer	Cleaver Brooks
Tanenbaum Keale	Robert M. Gilmartin, Jr.	Foster Wheeler
Wilbraham Lawler	Lynn E. Roberts, III	PSEG
Wilson Elser	Joseph Hanlon	Hess; Chevron

IT IS on this 4th day of **June, 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

July 13, 2018

Plaintiff shall serve answers to standard interrogatories.

July 13, 2018 Plaintiff shall serve answers to wrongful death interrogatories by this date.

July 27, 2018 Defendants shall serve answers to standard interrogatories by this date.

August 10, 2018 Plaintiff shall propound supplemental interrogatories and document requests by this date.

September 21, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

August 10, 2018 Defendants shall propound supplemental interrogatories and document requests by this date.

September 21, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

December 3, 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.

December 3, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

March 15, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

January 18, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

February 1, 2019 Summary judgment motions shall be filed no later than this date.

March 1, 2019 Last return date for summary judgment motions.

MEDICAL DEFENSE

July 13, 2018 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

July 13, 2018 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

January 14, 2019 Plaintiff shall serve medical expert reports by this date.

April 18, 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

January 14, 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.

April 18, 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.

EXPERT DEPOSITIONS

May 10, 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

May 2, 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 3, 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