

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

<p>ESTATE of ROBERT ZAWACKI, <i>Plaintiff(s),</i></p> <p>vs.</p> <p>AUGUST ARACE & SONS, et al <i>Defendant(s).</i></p>

Docket No: L-4564-14 (AS)

Civil Action

**CASE MANAGEMENT ORDER VI
AMENDMENT II**

This matter having previously come in for a Case Management Conference before Special Master

Agatha N. Dzikiewicz and the following parties on June 16, 2016 and amended on September 2, 2016:

FIRM	ATTORNEY	CLIENT
<i>Wilentz Goldman & Spitzer</i>	<i>Philip Tortoreti</i>	<i>Plaintiff(s)</i>
<i>Bucca & Campisano</i>	<i>Benjamin Bucca</i>	<i>IMO</i>
<i>Connell Foley</i>	<i>Richard Jagen</i>	<i>August Arace; The Frank A. McBride Co.</i>
<i>Hack Piro</i>	<i>Robert Alencewicz</i>	<i>Johansen</i>
<i>Hardin Kundla</i>	<i>Nicea D'Annunzio</i>	<i>Calon Insulation</i>
<i>Hoagland Longo</i>	<i>Jessica Saad</i>	<i>Industrial Welding</i>
<i>Kent McBride</i>	<i>Kevin Hoffman</i>	<i>Binsky; TJ McGlone; Mooney</i>
<i>Landman Corsi</i>	<i>Charles Mondora</i>	<i>Sequoia Ventures, Inc.</i>
<i>Langsam Stevens</i>	<i>David McHale</i>	<i>Zy-Tech Global</i>
<i>Margolis Edelstein</i>	<i>Justin M. Bettis</i>	<i>Woolsulate; Central Jersey Supply; URS Energy & Construction</i>
<i>Marks O'Neill</i>	<i>Sebastian Goldstein</i>	<i>Nicholas Schwalje Inc.</i>
<i>McGivney Kluger</i>	<i>Joel Clark</i>	<i>Raritan Supply; Bergen Ind.; Madsen & Howell</i>
<i>McGivney Kluger</i>	<i>Caitlin Christie</i>	<i>Fairbanks; Flowsolve</i>
<i>Morgan Lewis</i>	<i>Christopher Iannicelli</i>	<i>Goulds Pumps; ITT Corp.</i>
<i>Pascarella DiVita</i>	<i>Lisa Pascarella</i>	<i>Crane Co.; Ingersoll Rand</i>
<i>Tierney Law Office</i>	<i>Michael Murphy</i>	<i>Elizabeth Industrial Supply</i>
<i>Weiner Lesniak</i>	<i>Edward Seaver</i>	<i>Merck</i>

IT IS on this 10th day of **NOVEMBER, 2016**, *Case Management Order VI is further*

AMENDED 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

December 5, 2016 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 5, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

December 12, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

December 16, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 6, 2017 Summary judgment motions shall be filed no later than this date.

February 3, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

March 3, 2017 Defendants shall identify its medical experts and serve medical expert 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

March 3, 2017 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 14, 2017 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

March 3, 2017 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.

April 14, 2017 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

May 5, 2017 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 2, 2017 The settlement conference previously scheduled on this date is **cancelled**.

March 22, 2017 The settlement conference previously scheduled on this date is **cancelled**.

May 11, 2017 @ 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.

May 30, 2017 (*Tuesday*)

Trial Date. (*The April 17, 2017 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