

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

RAYMOND RIZZUTO,  <p style="text-align: center;"><i>Plaintiff(s),</i></p> vs.  AJ FRIEDMAN SUPPLY CO., INC., et al  <p style="text-align: center;"><i>Defendant(s).</i></p>	
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**Docket No: L-611-12 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER I**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 23, 2014:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon Kupilik	Plaintiff(s)
Archer & Greiner	Michael Louricella	National Building Supply
Baginski Mezzanotte	Pattie Lyons	Sherman & Chaplin
Bucca Campisano	Christine Bucca	IMO Industries
Carroll McNulty	Kate Hyde	Spirax Sarco
Caruso Smith Picini	Marcia De Polo	Amchem; CertainTeed; Union Carbide
Drinker Biddle Reath	Andrew Egan	American Optical
Garrity Graham	Michael McGrath	Industrial Petrolic; United Conveyor
Hack Piro	Christine McCarthy	Johansen; HB Smith
Hardin Kundla	Nicea D'Annunzio	LaBour Pump; Calon Insulation
Hoagland Longo	Steven Satz	Burnham; AGL Welding; Hudson Iron & Metal; Industrial Welding; Superior Welding & Boiler
Kent McBride	Ravi Shah	TJ McGlone; Koenig
Langsam Stevens	Jeannie Park Lee	Zy-Tech
Maloof Lebowitz	Anthony J. Charles Jr.	Allied Building Products Corp.
Margolis Edelstein	Ryan Buchanan	Record Industrial; Central Jersey; Lehigh Gasket; Woosulate; United Engineers & Contractors
Marshall Dennehey	Lisa Only	Jaeger Lumber
McElroy Deutsch	Jack McGuire	Ench Roofing
McGivney Kluger	Joel Clark Caitlin Christie	Madsen & Howell; Bergen Ind.; Raritan Supply; Brand Insulation; Sloan Valve; Fairbanks; Weil McLain; John W. Wallace; J. Moore; Roofers Supply
O'Toole Fernandez	Jacqueline Muddick	Dana Companies
Pascarella DiVita	Corinne Cerati	Trane US Inc.
Ricci Tyrrell Johnosn	Robert Leviloff	Chicago Bridge & Iron
Reilly Janiczek	Karen J. Conte	York Corrugating
Sedgwick LLP	Bridget Polloway	Foster Wheeler; General Electric
Welby Brady Greenblatt	Anthony Carlucci	Peepels Mechanical

IT IS on this 23<sup>rd</sup> day of July, 2014 *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 plaintiffs' 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**

- September 30, 2014 Plaintiff shall serve answers to standard interrogatories, provide the information required by paragraph VI.B.1.a. of the General Order, and shall advise defendants whether the plaintiff is available for deposition and, if not, the reasons therefore by this date.
- October 10, 2014 Defendants shall serve answers to standard interrogatories by this date.
- October 24, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- November 24, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- October 24, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.
- November 24, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- January 30, 2015 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.
- February 27, 2015 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.
- February 27, 2015 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- May 1, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- March 27, 2015 Summary judgment motions shall be filed no later than this date.

April 24, 2015 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

September 30, 2014 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

September 30, 2014 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

September 30, 2014 Plaintiff shall serve medical expert reports by this date.

May 29, 2015 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**

May 29, 2015 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.

June 30, 2015 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**

May 29, 2015 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.

June 30, 2015 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**

July 17, 2015 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**

July 7, 2015 @ 9:30am 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.

August 3, 2015

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  
Brody Deposition Services  
Priority One