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

ROBERT & JESSIE KELLY,
Plaintiff(s),
vs.
ACME PLASTERING CO., et al
Defendant(s).

Docket No: **L-5598-15 (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 *September 28, 2016:*

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Philip Tortoreti	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.
Eckert Seamans	Stephanie Coleman	Navistar
Hawkins Parnell	Roy Viola	Pneumo Abex; Paccar
Landman Corsi	Jorkeell Echeveria	ACME Plastering Co.
Margolis Edelstein	Jeanine Clark	URS Energy & Construction
Marks O'Neill	Sebastian Goldstein	Schwalje
Marshall Dennehey	Paul Johnson	Kaiser Gypsum
McGivney Kluger	Caitlin Christie	Sid Harvey, Madsen & Howell, Bergen Industrial, Weil-McLain, John Wallace, TJ McGlone
Rawle & Henderson	Jamie L. Augustinsky	Volvo
Reilly Janiczek	Adrianna Exler	Cleaver Brooks
Ricci Tyrrell	Nancy Green	Chicago Bridge & Iron
Speziali Greenwald	Joanne Hawkins	CBS/ Westinghouse

IT IS on this **3rd** day of **October, 2016**, *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

October 14, 2016 Defendants shall serve answers to standard interrogatories by this date.

October 31, 2016 Plaintiff shall propound supplemental interrogatories and document requests by this date.

December 2, 2016	Defendants shall serve answers to supplemental interrogatories and document requests by this date.
October 31, 2016	Defendants shall propound supplemental interrogatories and document requests by this date.
December 2, 2016	Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
January 31, 2017	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.
January 31, 2017	Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

February 10, 2017	Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

February 17, 2017	Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
March 3, 2017	Summary judgment motions shall be filed no later than this date.
March 31, 2017	Last return date for summary judgment motions.

MEDICAL DEFENSE

May 5, 2016	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 31, 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.
May 5, 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

January 31, 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.
May 5, 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

June 2, 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

June 8, 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.
July 3, 2017	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