

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

Docket No: **L-2740-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

<p>JEANNE STULICH  (Estate of Thomas Stulich),</p> <p style="text-align: center;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>AO SMITH WATER PRODUCTS, et al</p> <p style="text-align: center;"><i>Defendant(s).</i></p>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on March 25, 2014:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Alex Eiden	Plaintiff(s)
Caruso Smith	Ronald S. Suss	CertainTeed; Union Carbide
Chase Kurshan	Patrick Florentino	Reichhold Inc.
Hack Piro	Christine McCarthy	HB Smith
Kelley Jasons	Jason Scheets	FMC; McNally
Mayfield Turner	Zoe Elfenbein	Carrier Corp.
McElroy Deutsch	Helen Antoniou McGowan	AO Smith; Chevron; Exxon
McGivney Kluger	Joel Clark	Weil McLain
Porzio Bromberg	Michelle Burke	DuPont; Wyeth Holdings Corp.
Reilly Janiczek	Steven Jenks	Cleaver Brooks
Sedgwick LLP	Bridget Polloway	Foster Wheeler
Wilbraham Lawler	Andrea Greco	PSE&G
Wilson Elser	Suna Lee	Hess Corp.

IT IS on this 26<sup>th</sup> day of March, 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.

**DISCOVERY**

June 30, 2014

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.

June 30, 2014            Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

July 8, 2014            The settlement conference previously scheduled on this date is **CANCELLED**.

July 11, 2014            Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

July 25, 2014            Summary judgment motions shall be filed no later than this date.

August 22, 2014        Last return date for product identification summary judgment motions.

**MEDICAL DEFENSE**

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

April 30, 2014        Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

September 30, 2014    Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

**LIABILITY EXPERT REPORTS**

July 15, 2014        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 30, 2014    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 15, 2014        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 30, 2014    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 17, 2014        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**

October 3, 2014 @ 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 27, 2014 Trial Date. (*The July 28, 2014 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  
Brody Deposition Services  
Priority One