

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

Docket No: L-1132-16 (AS)

Civil Action

CASE MANAGEMENT ORDER VI

LERROY BAKER (Estate of DOLORES BAKER), <i>Plaintiff(s),</i> vs. ANOVA HOLDINGS AG, 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 June 27, 2019:

FIRM	ATTORNEY	CLIENT
Simon Greenstone	Leah Kagan	Plaintiff(s) <i>co-counsel with Szaferman Lakind</i>
Gibbons PC	Robert Brown	Cemex Materials LLC
Goldfein & Joseph	Madhurika Jeremiah	Asbestos Corp. Ltd.; Bell Asbestos Mines
Rawle & Henderson	Sebastian Goldstein	Cyprus Amax Minerals

IT IS on this 27th day of **June 2019**, *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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any forum non conveniens motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

DISCOVERY

December 31, 2019 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.

CASE MANAGEMENT CONFERENCE

April 16, 2020 @ 10:00am A telephone Case Management Conference is scheduled before the Special Master.

MEDICAL EXPERT REPORT

April 30, 2020 Plaintiff shall serve medical expert reports by this date.

April 30, 2020 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

August 21, 2020 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

April 30, 2020 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

August 21, 2020 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.

SUMMARY JUDGMENT MOTION PRACTICE

May 8, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

May 22, 2020 Summary judgment motions shall be filed no later than this date.

June 19, 2020 Last return date for summary judgment motions.

EXPERT DEPOSITIONS

September 18, 2020 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

To be scheduled Final settlement conference.

October 19, 2020 Trial Date. *(The October 28, 2019 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: counsel:

Caruso Smith for *CertainTeed*

cc: Clerk, Mass Tort