

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

**Docket No:** L-5732-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER II**

SANDRA & LOREN DOCKERY, <i>Plaintiff(s),</i>
vs.
BRENTAG NORTH AMERICA, 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 May 22, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Daniel LaTerra	Plaintiff(s)
Drinker Biddle	Shane O'Connell	Johnson & Johnson; Johnson & Johnson Consumer
LeClairRyan	Gary M. Sapiro	Ford Motor Co.
McElroy Deutsch	Joseph D. Rasnek	Pfizer Inc.
O'Toole Scrivo	Gary Van Lieu	Colgate-Palmolive Co.
Rawle & Henderson	Sebastian Goldstein	Cyprus Amax Minerals; Imerys Talc America
Tanenbaum Keale	Maryam Meseha	Borg Warner

IT IS on this 22<sup>nd</sup> day of May, 2018, 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.

**EARLY SETTLEMENT**

August 3, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

August 3, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

August 17, 2018 Summary judgment motions shall be filed no later than this date.

September 14, 2018 Last return date for summary judgment motions.

**MEDICAL DEFENSE**

August 1, 2018 Plaintiff shall serve medical expert reports by this date.

August 1, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

October 1, 2018 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**

August 1, 2018 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.

October 1, 2018 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**

August 1, 2018 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.

October 1, 2018 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 31, 2018 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**

August 29, 2018 The settlement conference previously scheduled on this date is **cancelled**.

October 11, 2018 @ 1:30pm 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.

November 16, 2018 Pretrial Information Exchange submissions due.

November 26, 2018 Trial-Ready Date. (*The September 24, 2018 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