

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

Docket No: **L-3967-15 (AS)**

Civil Action

CASE MANAGEMENT ORDER IV

ESTATE of EVAN DUSSIA, <i>Plaintiff(s),</i> vs. BRENNTAG NORTH AMERICA, et al <i>Defendant(s).</i>
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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 21, 2017:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph Mandia	Plaintiff(s)
Goldberg Segalla	H. Lockwood Miller	Shulton, Inc.; Procter & Gamble; Wyeth Holdings

IT IS on this 22nd day of March, 2017, 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 23, 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.

June 23, 2017 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

July 7, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL DEFENSE

July 28, 2017 Plaintiff shall serve medical expert reports by this date.

July 28, 2017 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

September 8, 2017 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

- July 28, 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.
- September 8, 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

- July 28, 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.
- September 8, 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

- October 10, 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.

DISPOSITIVE MOTION PRACTICE

- November 17, 2017 Dispositive motions shall be filed no later than this date.
- December 15, 2017 Return date for dispositive motions.

PRE-TRIAL AND TRIAL

- To be scheduled* Settlement conference.
- January 29, 2018 Trial Date. (*The September 11, 2017 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:
Hoagland Longo for Whittaker Clark & Daniels
cc: Clerk, Mass Tort