

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

**Docket No:** L-852-18 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

CHARLEEN GRIME (Estate of John Grime),  vs.  AURORA PUMP CO., et al	<i>Plaintiff(s),</i>    <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 November 6, 2019:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Robert Silverman	Plaintiff(s)
McElroy Deutsch	Denise Harris	Eaton Corp.
McGivney Kluger	Trish Wilson	Nash Engineering Co.
Turner O'Mara	Dave J. Gallacher	Carrier Corp.

IT IS on this 6<sup>th</sup> day of **November 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.

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.

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**

- November 29, 2019 Plaintiff shall serve answers to standard interrogatories by this date.
- November 29, 2019 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- December 13, 2019 Defendants shall propound supplemental interrogatories and document requests by this date.
- January 17, 2020 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

February 28, 2020 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.

February 28, 2020 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

June 5, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

### **MEDICAL EXPERT REPORT**

November 29, 2020 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

March 31, 2020 Plaintiff shall serve medical expert reports by this date.

March 31, 2020 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

June 30, 2020 Plaintiff shall serve a rebuttal expert medical report, if any, by this date.

### **LIABILITY EXPERT REPORTS**

March 31, 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.

June 30, 2020 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

April 10, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 24, 2020 Summary judgment motions shall be filed no later than this date.

May 22, 2020 Last return date for summary judgment motions.

### **EXPERT DEPOSITIONS**

July 17, 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 Settlement conference.

August 10, 2020

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