

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

Docket No: **L-5924-13 (AS)**

JAMES J. HARLEY, JR., <i>Plaintiff(s),</i> vs. ABEX CORPORATION, et al <i>Defendant(s).</i>

Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 24, 2014:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Michael McMahon	Plaintiff(s)
Gibbons PC	Mark R. Galdieri	Honeywell International Inc.
Harwood Lloyd	Michael Chipko	Carlisle
Hawkins Parnell	Edward P. Abbot	Pneumo Abex LLC
Hoagland Longo	Andrew Kessler	Borg Warner
O'Toole Fernandez	Gina Apostolico	Dana

IT IS on this 25th day of July, 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.

Defense counsel shall notify plaintiffs' 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.

DISCOVERY

- | | |
|--------------------|--|
| August 1, 2014 | Defendants shall serve answers to standard interrogatories by this date. |
| August 14, 2014 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| September 15, 2014 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |

August 14, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.

September 15, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

October 31, 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.

November 28, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

December 15, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

December 26, 2014 Summary judgment motions shall be filed no later than this date.

January 23, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

August 15, 2014 Plaintiff shall serve executed medical authorizations by this date.

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

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

January 30, 2015 Defendants shall identify its medical experts and serve medical expert 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

December 31, 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.

February 6, 2015 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.

EXPERT DEPOSITIONS

February 27, 2015 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

February 25, 2015 @ 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.

March 23, 2015 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
Brody Deposition Services
Priority One