

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

**Docket No:** L-3600-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER VII**

MICHELE HOLLAND (Estate of Edward Prezwodek),  vs. ABB INC., 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 July 16, 2019:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Amber Long	Plaintiff(s)
Forman Watkins	Thomas M. Toman, Jr.	Cooper Industries
Hoagland Longo	Chris Boglioli	Westfield Plumbing
Kelley Jasons	Angela Caliendo	Square D, n/k/a Schneider Electric USA
Mandelbaum Salsburg	Mara P. Codey	Turtle & Hughes
Margolis Edelstein	Nicholas Sulpizio	Woolsulate; Central Jersey Supply
Maron Marvel	Lina C. Flanigan	Keeler/Dorr-Oliver Boiler co.
Marshall Dennehey	Paul Johnson	Riley Power
McCullough Ginsberg	Jason Schmolze	Okonite Co.
McElroy Deutsch	Andrew F. Bain	Eaton Corp.; Rockwell Automation
McGivney Kluger	Jeffrey Kluger Thomas McNulty	Bergen Industrial Supply; Madsen & Howell; Graybar Electric; Jewel Electric Supply; Griffith Electric Supply; Elizabeth Ind.
Nowell PA	Linda Dunne	United Supply
O'Brien Firm	Jodie J. Farrow	ABB Inc.
O'Toole Scrivo	Amy Sachs	W.A. Birdsall & Co.
Pascarella DiVita	Madelyn Iulo	Ingersoll Rand
Porzio Bromberg	Tanya Y. Shah	Wyeth Holdings, LLC
Reilly McDevitt	Ryan Notarangelo	Gould Electronics Inc., Samson Electrical Supply; E.W. Berger
Speziali Greenwald	Joanne Hawkins	General Electric
Tanenbaum Keale	Joanne Hawkins	CBS Corp.; Foster Wheeler; Wesco
Wilbraham Lawler	Josette Spivak	South Amboy Supply

IT IS on this 17<sup>th</sup> day of **July 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**

October 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.

October 31, 2019 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

January 31, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

### **MEDICAL EXPERT REPORT**

January 13, 2020 Plaintiff shall serve medical expert reports by this date.

January 13, 2020 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

May 1, 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**

January 13, 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.

May 1, 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**

January 31, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

February 14, 2020 Summary judgment motions shall be filed no later than this date.

March 13, 2020 Last return date for summary judgment motions.

## **ECONOMIST EXPERT REPORTS**

January 13, 2020           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.

May 1, 2020               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**

May 29, 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.

June 22, 2020               Trial Date. *(The February 10, 2020 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