

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

Docket No: L-1922-19 (AS)

Civil Action

CASE MANAGEMENT ORDER II

ESTATE of STEPHEN HORROCKS, <i>Plaintiff(s),</i>
vs.
3M COMPANY, 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 February 20, 2020:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Marcia DePolo	Union Carbide; CertainTeed
Harris Beach	David Kochman	Hubbell Lighting; Progress Lighting
Kelley Jasons	Angela Caliendo	Square D
Lowenstein Sandler	Naomi D. Barrowclough	Bristol-Myers Squibb Co.
McElroy Deutsch	Joseph D. Rasnek	Pfizer
Millet & Associates	Christine Viggiano	NL Industries
Montgomery McCracken	Alexandra S. Jacobs	Atlantic City Electric
Segal McCambridge	Alexander Schaffel	Ball Corp. (Rexam Beverage)

IT IS on this 24th day of **February 2020**, *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

March 31, 2020 Jurisdictional discovery shall be completed by this date.

May 1, 2020 Depositions of defendants on jurisdictional issues shall be conducted by this date.

- March 27, 2020 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- May 29, 2020 Defendants shall identify the cross-claims they intend to prove and the proofs as to each cross-claim per Rowe by this date.
- June 15, 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.
- June 15, 2020 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- September 11, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

- October 30, 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

- July 17, 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.
- October 30, 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

- July 24, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- August 7, 2020 Summary judgment motions shall be filed no later than this date.
- September 4, 2020 Last return date for summary judgment motions.

EXPERT DEPOSITIONS

- November 23, 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

November 10, 2020 @ 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.

December 21, 2020 Trial Date. (*The March 30, 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