

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

Docket No: L-2077-15 (AS)

Civil Action

**CASE MANAGEMENT ORDER XIII
AMENDED**

ESTATE of MARY HUGO, (John J. Ragan, Executor), <i>Plaintiff(s),</i> vs. BORG WARNER MORSE TEC, et al <i>Defendant(s).</i>

This matter having come in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on February 26, 2019 and counsel having mutually agreed to and requested certain amendments to CMO XIII;

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Robert Ellis	Plaintiff(s)
Caruso Smith Picini	Lisa Massimi	Union Carbide
Gibbons PC	Daniel Dorfman	Honeywell International Inc.
Kaufman Borgeest	Neepa Patel	Morton International
LeClair Ryan	Gary M. Sapir	Ford
Pascarella DiVita	Joshua Greeley	Ingersoll Rand; Crane
Tanenbaum Keale	Pamela R. Kaplan	ExxonMobil; Borg Warner
Wilbraham Lawler	Josette F. Spivak	Kelsey-Hayes Co.

IT IS on this 28th day of OCTOBER, 2019, that Case Management Order XIII is hereby

AMENDED 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.

MEDICAL EXPERT REPORT

December 16, 2019 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

December 16, 2019 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

January 30, 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.

April 6, 2020 Trial Date. (*The January 13, 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