

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

<u>JOHNS MANVILLE III</u>	
DANYSH, <i>Vladimir</i>	L-2518-14
WUNDER	L-1801-14
TERRACCIANO	L-680-14
LESZCHYN	L-998-14

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 10, 2014:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Leah Kagan	Plaintiff(s)
Caruso Smith Picini	Richard Picini	Union Carbide; CertainTeed
Day Pitney	Marc D. Crowley	International Paper Co.
Gibbons	Ethan Stein	Honeywell
Hawkins Parnell	Roy Viola	Abex
Jones Law Office	Richard V. Jones	Metropolitan Life
LeClair Ryan	Michael Goldklang	Ford
McElroy Deutsch	Joseph D. Rasnek	Occidental Chemical Co.
McGivney Kluger	Joel Clark	Hollingsworth & Vose
Weiner Lesniak	Christian Merlino	Mitsui

IT IS on this 11th 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.

These matters are hereby consolidated for discovery, case management and trial.

DISCOVERY

July 31, 2014 As to Wunder, plaintiff shall serve answers to standard interrogatories, provide the information required by paragraph VI.B.1.a. of the General Order, and shall advise defendants whether the plaintiff is available for deposition and, if not, the reasons therefore by this date.

July 31, 2014 As to Wunder, plaintiff shall serve answers to wrongful death interrogatories by this date.

August 8, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.

September 8, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

August 8, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.

September 8, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

October 10, 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.

October 10, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

October 17, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

October 24, 2014 Summary judgment motions shall be filed no later than this date.

November 21, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

July 31, 2014 As to Wunder, plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

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

December 19, 2014 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

November 10, 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.

December 19, 2014 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.

ECONOMIST EXPERT REPORTS

- November 10, 2014 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.
- December 19, 2014 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

- January 16, 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

- January 13, 2015 @ 1:30pm 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.
- February 17, 2015 (*Tuesday*) 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