

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

ROBERT & CONNIE MAS, vs. AO SMITH WATER PRODUCTS CO., et al	<i>Plaintiff(s),</i> <i>Defendant(s).</i>
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Docket No: L-1484-18 (AS)

Civil Action

CASE MANAGEMENT ORDER II

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on May 28, 2019:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Robert Silverman	Plaintiff(s)
Caruso Smith	Alexandra Caruso	Union Carbide; CertainTeed
Drinker Biddle	Jack Frost	Neles-Jamesbury
Eckert Seamans	Michael A. Posavetz	AO Smith Water Products Co.
Gibbons PC	Phillip J. Duffy	Yuba Heat Transfer
Harris Beach	David Kochman	Hubbel, Inc.; Hubbell Incorporated (DE); Milton Roy
Kelley Jasons	Angela Caliendo	Square D n/k/a Schneider Electric; FMC Corp.
Leader & Berkon	Christine Bucca	IMO Ind.; Spirax Sarco; Electrolux Home Products; Weil McLain
Maron Marvel	Timothy Coughlan	Velan Valve Co.
Marshall Dennehey	Ana McCann	Riley Power; Cooper Ind.
Marshall Dennehey	Arthur Bromberg	BMCE, Inc.; Cashco; Manitowoc; Joy Underground Mining
McCarter & English	Amanda N. Munsie	Fisher Scientific
McElroy Deutsch	Nancy McDonald	Crosby; Eaton; Flowserve US, Inc.; Rockwell Automation; Fisher Control Valves; Pfizer; Robert Shaw Controls Co.
McGivney Kluger	Joel Clark	Marley Colling Nash Engineering; Atwood & Morrill Co.
O'Brien Firm	Jodie J. Farrow	ABB, Inc.
Pascarella DiVita	John S. McGowan	Crane Co.
Reilly McDevitt	Hena Kumar	Gould Electronics, Inc.; Cleaver Brooks, Inc.
Tanenbaum Keale	Arshia Hourizadeh	CBS Corp.; Foster Wheeler; Research Cottrell
Wilbraham Lawler	Josette Spivak	Viking Pump; PSE&G

IT IS on this 28th day of May 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

June 28, 2019 Plaintiff and co-defendants shall serve answers to supplemental interrogatories and document requests by this date.

August 30, 2019 Depositions of corporate representatives of PSE&G and Fisher Controls shall be completed by this date.

EARLY SETTLEMENT

August 30, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

June 28, 2019 Plaintiff shall serve medical expert reports by this date.

June 28, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

October 4, 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

June 28, 2019 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 4, 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.

SUMMARY JUDGMENT MOTION PRACTICE

June 28, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

July 19, 2019 Summary judgment motions shall be filed no later than this date.

August 16, 2019 Last return date for summary judgment motions.

ECONOMIST EXPERT REPORTS

June 28, 2019 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.

October 4, 2019 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

October 31, 2019 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

October 18, 2019 @ 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.

November 8, 2019 Pretrial Information Exchange submissions due.

November 18, 2019 Trial-Ready 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