

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

Docket No: L-3528-14 (AS)

Civil Action

CASE MANAGEMENT ORDER II

ESTATE of FRANCIS PERRY, <i>Plaintiff(s),</i>
vs.
AW CHESTERTON CO., 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 October 17, 2019:

FIRM	ATTORNEY	CLIENT
Locks Law Firm	Karl Friedrichs	Plaintiff(s)
Kelley Jasons	Angela Caliendo	Square D
Marin Goodman	Terence W. Camp	Ericsson Inc.
Marshall Dennehey	Doug Suplee	Warren Pumps
McElroy Deutsch	Charles Benjamin	Eaton Corp.
McGivney Kluger	Nicholas DeMattheis	Royal Electric Supply; Simplex Wire & Cable
McGivney Kluger	Jonathan Lee	Brand Insulations; Graybar Electric Co.; Rumsey Electric
Pascarella DiVita	Stuart M. Berger	Ingersoll Rand
Reilly McDevitt	Adrianna Astringer	Cleaver Brooks; Goulds Electronics
Speziali Greenwald	David Blow	General Electric
Tanenbaum Keale	David Blow	CBS Corp.; Foster Wheeler
Turner O'Mara	David J. Gallacher	Carrier Corp.
Wilbraham Lawler	Jessica Reenock	Nosroc Corp.; Siemens Industry Inc.

IT IS on this 18th day of October 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

February 14, 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.

March 13, 2020 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

May 8, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

December 13, 2019 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

December 13, 2019 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

May 15, 2020 Plaintiff shall serve medical expert reports by this date.

May 15, 2020 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

August 7, 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

May 15, 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.

August 7, 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

May 8, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

May 22, 2020 Summary judgment motions shall be filed no later than this date.

June 19, 2020 Last return date for summary judgment motions.

EXPERT DEPOSITIONS

September 4, 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

April 28, 2020 The settlement conference previously scheduled on this date is **cancelled**.

August 27, 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.

September 28, 2020 Trial Date. (*The June 1, 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