

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

**Docket No:** L-183-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER III**

ESTATE of DONNA PIERROT, <i>Plaintiff(s),</i>
vs.
ASBESTOS CORPORATION LTD., 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 April 16, 2019:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Philip Tortoreti	Plaintiff(s)
Caruso Smith	Lisa Massimi	Union Carbide
Goldfein & Joseph	Madhurika Jeremiah	ACL; Bell
McGivney Kluger	Armand Kalfayan	Special Electric Co., Inc.

IT IS on this 16<sup>th</sup> day of April 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**

May 17, 2019            Plaintiff shall serve answers to supplemental discovery by this date.

**MEDICAL EXPERT REPORT**

September 20, 2019    Defendants shall advise plaintiff's counsel whether medical diagnosis will be disputed by this date.

November 22, 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**

- September 20, 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.
- November 22, 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 Summary judgment motions shall be filed no later than this date.
- July 26, 2019 Last return date for summary judgment motions.

### **EXPERT DEPOSITIONS**

- December 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**

- To be scheduled Settlement conference.
- January 27, 2020 Trial Date. (*The May 28, 2019 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