

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

ESTATE of RICHARD SCHUYLER,
Plaintiff(s),
vs.
3M COMPANY, et al
Defendant(s).

Docket No: **L-6180-14 (AS)**

Civil Action

CASE MANAGEMENT ORDER IV

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on November 3, 2016:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Dennis Geier	Plaintiff(s)
Caruso Smith	Nicholas Albano, III	CertainTeed; Union Carbide
Goldfein & Joseph	Madhurika Jeremiah	ACL; Bell
Lynch Daskal	Elissa Regev	Georgia Pacific
McGivney Kluger	Marc J. Wisel	DAP
O'Toole Fernandez	Gary Van Lieu	Somerville Lumber

IT IS on this 9th day of **November, 2016**, *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.

DISCOVERY

December 16, 2016 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.

December 16, 2016 Depositions of corporate representatives shall be completed by this date.

SUMMARY JUDGMENT MOTION PRACTICE

December 16, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 6, 2017 Summary judgment motions shall be filed no later than this date.

February 3, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

- November 30, 2016 Plaintiff shall serve medical expert reports by this date.
- March 17, 2017 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

- January 20, 2017 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.
- March 17, 2017 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

- April 7, 2017 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

- February 23, 2017 @ 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. 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.
- March 24, 2017 @ 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. 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.
- April 24, 2017 Trial Date. (*The March 13, 2017 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