

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

**Docket No:** L-6216-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER IV  
AMENDED**

MALCOLM & BARBARA SHEINKER, <i>Plaintiff(s),</i>
vs.
3M COMPANY, et al <i>Defendant(s).</i>

This matter having come in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 22, 2019:

FIRM	ATTORNEY	CLIENT
<i>Cohen Placitella &amp; Roth</i>	<i>Rachel Placitella</i>	<i>Plaintiff(s)</i>
<i>Caruso Smith</i>	<i>Marcia DePolo</i>	<i>Union Carbide</i>
<i>Kelley Jasons</i>	<i>Angela Caliendo</i>	<i>Square D</i>
<i>Margolis Edelstein</i>	<i>Nicholas Sulpizio</i>	<i>Belden Wire &amp; Cable; Alpha Wire</i>
<i>Marshall Dennehey</i>	<i>Paul Johnson</i>	<i>Honeywell, Inc.</i>
<i>McElroy Deutsch</i>	<i>John McGuire</i>	<i>Allen Bradley; Eaton</i>
<i>Pascarella DiVita</i>	<i>John S. McGowan</i>	<i>General Cable</i>
<i>Speziali Greenwald</i>	<i>Michael Quinn</i>	<i>General Electric</i>
<i>Tanenbaum Keale</i>	<i>Joseph D. Fanning</i>	<i>CBS Corp.</i>
<i>Wilbraham Lawler</i>	<i>Josette Spivak</i>	<i>Siemens</i>

IT IS on this 13<sup>th</sup> day of **NOVEMBER 2019**, that Case Management Order IV is hereby

**AMENDED** 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.

**MEDICAL EXPERT REPORT**

February 28, 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**

December 13, 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.

February 28, 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**

December 13, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

December 27, 2019 Summary judgment motions shall be filed no later than this date.

January 24, 2020 Last return date for summary judgment motions.

### **EXPERT DEPOSITIONS**

March 23, 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**

January 30, 2020 The settlement conference previously scheduled on this date is **cancelled**.

March 3, 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. 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 27, 2020 Trial Date. (*The March 23, 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