

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

MAUD SIPSKI  
(Estate of Francis Sipski),  
*Plaintiff(s)*,  
vs.  
ASBESTOS CORPORATION LTD., et al  
*Defendant(s)*.

Docket No: **L-2093-16 (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 *February 15, 2017*:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Angelo Cifaldi	Plaintiff(s)
Caruso Smith	Marcia DePolo	CertainTeed
Goldfein & Joseph	Madhurika Jeremiah	ACL; Bell
Weiner Lesniak	Robert Ball	Mitsui

IT IS on this 15<sup>th</sup> day of **February, 2017**, *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**

- March 13, 2017      Plaintiff shall serve answers to standard interrogatories, provide the information required by paragraph VII.B.1.a. of the General Order, and shall advise defendants whether the plaintiff is available for deposition and, if not, the reasons therefore by this date.
- March 20, 2017      Defendants shall serve answers to standard interrogatories by this date.
- March 27, 2017      Defendants shall propound supplemental interrogatories and document requests by this date.
- April 27, 2017      Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- May 17, 2017      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.

May 17, 2017 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

March 13, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

May 26, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

June 9, 2017 Summary judgment motions shall be filed no later than this date.

July 7, 2017 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

March 13, 2017 Plaintiff shall serve executed medical authorizations by this date.

March 13, 2017 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

April 28, 2017 Plaintiff shall serve medical expert reports by this date.

July 31, 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**

April 28, 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.

July 31, 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**

August 18, 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**

June 8, 2017 The settlement conference previously scheduled on this date is **cancelled**.

August 9, 2017 @ 10:00am      **Telephone** settlement conference. *Counsel shall contact the court the day before with the telephone number of the attorney handling the conference.*

September 5, 2017 (*Tuesday*)      Trial Date. (*The June 26, 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