

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

**Docket No:** L-6763-09 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER XI**

JOSEPH TELLADO (Estate of Fred Tellado),  vs. FMC CORPORATION, et al	<i>Plaintiff(s),</i>    <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on January 31, 2020:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Dennis Geier	Plaintiff(s)
Flynn Watts	Michael Moroney	Electrolux Home Products
Margolis Edelstein	Jeanine D. Clark	AECOM Energy & Construction

IT IS on this 31<sup>st</sup> day of **January 2020**, *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 21, 2020 | Defendants shall serve answers to standard interrogatories by this date.  |
| February 28, 2020 | Plaintiff and co-defendant shall propound supplemental interrogatories and document requests by this date.  |
| March 31, 2020    | Defendants shall serve answers to supplemental interrogatories and document requests by this date.  |
| February 28, 2020 | Defendants shall propound supplemental interrogatories and document requests by this date.  |
| March 31, 2020    | Plaintiff and co-defendant shall serve answers to supplemental interrogatories and document requests by this date.  |
| June 30, 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. |

June 30, 2020 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

March 2, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

April 15, 2020 @ 10:00am Early settlement conference.

**MEDICAL EXPERT REPORT**

October 30, 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**

August 14, 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.

October 30, 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**

September 4, 2020 Summary judgment motions shall be filed no later than this date.

October 2, 2020 Last return date for summary judgment motions.

**EXPERT DEPOSITIONS**

November 20, 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**

To be scheduled Settlement conference.

December 14, 2020 Trial 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