

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

ALBERT TERANTINO,  <i>Plaintiff(s),</i>  vs.  AIR & LIQUID SYSTEMS CORP., et al  <i>Defendant(s).</i>
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**Docket No:** L-8504-18 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 4, 2019:

FIRM	ATTORNEY	CLIENT
Maune Raichle	Patrick Timmins	Plaintiff(s)
Breuninger & Fellman	Kathleen Ramalho	Genuine Parts Co.
Caruso Smith	Marcia DePolo	CertainTeed; Union Carbide
Caruso Smith	Richard V. Jones	Metropolitan Life
Gibbons PC	Ethan Stein	Honeywell International
Hawkins Parnell	Roy Viola	Pneumo Abex
Kelley Jasons	Angela Caliendo	FMC Corp.
Leader & Berkon	Christine Bucca	IMO Industries
Marshall Dennehey	Paul Johnson	Warren Pump; Riley Power; Kaiser Gypsum
McGivney Kluger	Jeffrey Kluger	Mount Vernon Mills Inc.
McGivney Kluger	Caitlin Bodtmann	Albany International; DAP
Pascarella DiVita	Keith O'Connor	Ingersoll Rand; Crane Co.
Porzio Bromberg	Ahmed Kassim	AT&T Corp.
Tanenbaum Keale	Christopher Keale	Borg Warner; CBS Corp.; Foster Wheeler; General Electric
Wilbraham Lawler	John A. Fitzpatrick	Air & Liquid Systems

IT IS on this 8<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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

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**

April 15, 2019 Defendants shall serve answers to standard interrogatories by this date.

April 26, 2019 Plaintiff shall propound supplemental interrogatories and document requests by this date.

May 31, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

April 26, 2019 Defendants shall propound supplemental interrogatories and document requests by this date.

May 31, 2019 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

June 28, 2019 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 28, 2019 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

September 6, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

## **MEDICAL EXPERT REPORT**

July 29, 2019 Plaintiff shall serve medical expert reports by this date.

July 29, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

September 30, 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**

July 29, 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.

September 30, 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**

July 19, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

August 2, 2019 Summary judgment motions shall be filed no later than this date.

August 30, 2019 Last return date for summary judgment motions.

**ECONOMIST EXPERT REPORTS**

July 29, 2019 Plaintiff shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

September 30, 2019 Defendants shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

**EXPERT DEPOSITIONS**

October 25, 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**

October 8, 2019 @ 1:30pm Settlement conference. All defense counsel shall appear with authority to negotiate settlement and have a representative authorized to negotiate settlement available by phone.

November 12, 2019 Pretrial Information Exchange submissions due.

November 18, 2019 Trial-Ready 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