

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

**Docket No:** L-5245-18 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

JOHN TRAVELINO (Estate of Joanna Travelino),  vs.  AIR & LIQUID SYSTEMS CORP., 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 June 4, 2019:

FIRM	ATTORNEY	CLIENT
Napoli Shkolnik	Robert Gitelman	Plaintiff(s)
Caruso Smith	Thomas M. Rogers	Union Carbide
Coughlin Duffy	Joseph P. Fiteni	Phillips 66 Co. (Conoco)
Kelley Jasons	Angela Caliendo	FMC Corp.
Leader Berkon	Christin Bucca	IMO Ind.
Littleton Park	Jason R. Schmitz	BASF Corp.
Marshall Dennehey	Doug Suplee	Warren Pumps
McElroy Deutsch	Brian Sorenson	ExxonMobil Corp.
Pascarella DiVita	Joshua Greeley	Ingersoll Rand; Trane US, Inc.; Crane Co.
Reilly McDevitt	James Andris	Cleaver Brooks
Segal McCambridge	Uri Carni	BW/IP, Inc.
Tanenbaum Keale	David Blow	CBS Corp.; Foster Wheeler
Wilbraham Lawler	John Fitzpatrick	Buffalo; PSEG; Exelon
Wilson Elser	Joseph Hanlon	Chevron USA, Inc.

IT IS on this 4<sup>th</sup> day of June 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**

- June 18, 2019 Plaintiff shall serve answers to standard interrogatories by this date.
- July 19, 2019 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- July 5, 2019 Defendants shall serve answers to standard interrogatories by this date.
- July 19, 2019 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- August 23, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- July 19, 2019 Defendants shall propound supplemental interrogatories and document requests by this date.
- August 23, 2019 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- October 18, 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.
- October 18, 2019 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

- October 31, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

## **MEDICAL EXPERT REPORT**

- July 19, 2019 Plaintiff shall serve executed medical authorizations by this date.
- December 23, 2019 Plaintiff shall serve medical expert reports by this date.
- December 23, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- April 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**

- December 23, 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.
- April 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**

January 17, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 31, 2020 Summary judgment motions shall be filed no later than this date.

February 28, 2020 Last return date for summary judgment motions.

## **EXPERT DEPOSITIONS**

May 29, 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**

April 14, 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.

June 22, 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