

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

Docket No: L-8247-12 (AS)

Civil Action

CASE MANAGEMENT ORDER X

ARLINGTON & ANGELA TROXELL, <i>Plaintiff(s),</i>
vs.
84 LUMBER CO., et al <i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on June 18, 2019:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon Kupilik	Plaintiff(s)
Dickie McCamey	William Smith	84 Lumber
Eckert Seamans	Joel M. Doner	AO Smith
Forman Watkins	Matthew G. Broderon	Cooper Industries
Flynn Watts	Michael Moroney	Pro Build
Hoagland Longo	Amie Kalac	Chicago Wilcox
Kelley Jasons	Angela Caliendo	Square D; Henkels & McCoy
Leader Berkon	Christine Bucca	Weil McLain
Marin Goodman	Christine Delaney	McMaster Carr
McGivney Kluger	Jeffrey Kluger	Sloan Valve; Flowserve
Vasios Kelly	Thomas J. Kelly, Jr.	Argo International
Wilbraham Lawler	Josette F. Spivak	Eastern Penn Supply Co.

IT IS on this 18th 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.

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 28, 2019 Plaintiff shall propound supplemental interrogatories and document requests by this date.

July 26, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

June 28, 2019 Defendants shall propound supplemental interrogatories and document requests by this date.

July 26, 2019 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

September 30, 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.

September 30, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

October 4, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

November 7, 2019 @ 10:00am Early settlement conference.

MEDICAL EXPERT REPORT

November 15, 2019 Plaintiff shall serve an updated expert medical report by this date.

January 31, 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

November 15, 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.

January 31, 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

November 8, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 22, 2019 Summary judgment motions shall be filed no later than this date.

December 20, 2019 Last return date for summary judgment motions.

ECONOMIST EXPERT REPORTS

November 15, 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.

January 31, 2020 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

February 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

To be scheduled Final settlement conference.
March 23, 2020 Pretrial Information Exchange submissions due.
March 30, 2020 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