

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

Docket No: **L-4617-13 (AS)**

ESTATE OF FRANK ZELESNIK, <i>Plaintiff(s),</i> vs. 3M COMPANY, et al <i>Defendant(s).</i>

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 May 6, 2014:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Caruso Smith	Ronald S. Suss	CertainTeed; Union Carbide
Drinker Biddle	Jack N. Frost, Jr.	Neles-Jamesbury Inc.
Hoagland Longo	Kristi Luzzetti	Goulds Pumps
Kent McBride	Ravi Shah	Binsky
Lavin O'Neil	Nicholas Stathes	3M Co.
Lynch Daskal	Alexandra Ober	Georgia Pacific
Marshall Dennehey	Lisa Only	Warren Pumps; Kaiser Gypsum
McElroy Deutsch	Helen Antoniou McGowan	Exxon; Flowserve US Inc., as successor to Rockwell
Pascarella DiVita	Corinne Cerrati	Ingersoll Rand
Reilly Janiczek	Edward Karg	ITT Corp.
Speziali Greenwald	Joanne Hawkins	General Electric; CBS/Westinghouse; Foster Wheeler
Wilbraham Lawler	Elizabeth Berardinis	Unilever

IT IS on this 7th day of **May, 2014** 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 plaintiffs' 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.

DISCOVERY

May 30, 2014

Defendants shall serve answers to standard interrogatories by this date.

June 20, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.

July 21, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

June 20, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.

July 21, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

December 31, 2014 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.

January 30, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

February 13, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

February 20, 2015 Summary judgment motions shall be filed no later than this date.

March 20, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

January 30, 2015 Plaintiff shall serve medical expert reports by this date.

January 30, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

April 30, 2015 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

February 13, 2015 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.

April 30, 2015 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.

ECONOMIST EXPERT REPORTS

March 13, 2015 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.

April 30, 2015 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

May 15, 2015 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

May 8, 2015 @ 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. Any request to be excused from the settlement conference shall be made to the Special Master no later than 4:00pm of the day prior to the conference.

June 1, 2015 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
 Brody Deposition Services
 Priority One