

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

Docket No: L-3453-16 (AS)

Civil Action

CASE MANAGEMENT ORDER VI

ESTATE of THEODORE ABBOTT, <i>Plaintiff(s),</i>
vs.
AMERICAN BILTRITE, 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 November 21, 2017:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Amber Long	Plaintiff(s)
Caruso Smith	Ronald S. Suss	Union Carbide
McGivney Kluger	Kevin Hoffman	R.E. Carroll, Inc.
O'Toole Scrivo	Gary Van Lieu	R.T. Vanderbilt
Rawle & Henderson	Timothy Alexander	Cyprus Amax Minerals; Imerys Talc America; American Biltrite
Styliades Hassan	Hillary C. Kruger	HM Royal

IT IS on this 27th day of **November, 2017**, *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.

DISCOVERY

February 16, 2018 Site inspection of American Biltrite shall be conducted by this date.

EARLY SETTLEMENT

April 20, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

March 16, 2018 Summary judgment motions shall be filed no later than this date.

April 13, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

May 15, 2018 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

February 28, 2018 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.

May 15, 2018 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

February 28, 2017 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.

May 15, 2018 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

June 15, 2018 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

March 7, 2018 The settlement conference previously scheduled on this date is **cancelled**.

June 7, 2018 @ 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.

July 16, 2018 Trial Date. (*The April 9, 2018 trial is adjourned to this 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