

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

Docket No: **L-3809-12 (AS)**

GAIL ANDRU (Estate of Andrew Nelson),	
	<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 *January 27, 2014*:

FIRM	ATTORNEY	CLIENT
Levy Phillips & Konigsberg	Leah Kagen Joseph J. Mandia	Plaintiff(s)
Breuninger Fellman	Raymond Chow	NAPA
Caruso Smith	Lisa Massimi	Union Carbide; CertainTeed
Day Pitney	Benjamin Haglund	Phelps Dodge Ind.
Forman Perry	Nicole Diesa	Cooper Industries
Gibbons PC	Frederick E. Blakelock	Selby Battersby
Gibbons PC	Ahmed Kassim	
Hardin Kundla	Nicea D'Annunzio	Calon
Harris Beach	Robert Schaefer	Progress Lighting; Hubbell Inc.; Hubbell Power Systems
Hoagland Longo	Nora Grimbergen	SII; Exteco; Goulds Pumps; Burnham; WW Grainger
Kelley Jasons	Jason Scheets	Square D; Victaulic; Northern Pump; McNally
Leader & Berkon	Joseph Fontak	IMO Industries; Spirax Sarco
Lynch Daskal	Cynthia Cho	Georgia Pacific
Margolis Edelstein	Alex Latanision	Belden; Alpha Wire; John Crane; Columbia
Marks O'Neill	Sebastian Goldstein	Whirlpool Corp.
Mayfield Turner	Andrew Keith	Carrier Corp.
McCarter & English	Jean Patterson	Hercules; Ashland, Inc.
McElroy Deutsch	Brian Sarencen	Sampson; Allen-Bradley; Eaton
McGivney Kluger	Joel Clark	Nash; Weil McLain; Simplex Wire & Cable; Taco; CCX; Gardner Denver; Flowserve; Treadwell; Graybar
Montgomery Chapin Fetten	Megan Verbos	JH France
O'Toole Fernandez	Jacqueline Muttick	Peerless; Gould Electronics
Pascarella DiVita	Corinne Cerrati	Trane; General Cable
Porzio Bromberg	Michelle Burke	DuPont

Reilly Janiczek	Brandy Harris	Aurora; Cleaver Brooks; CR Daniels
Salmon Ricchezza	Michael C. Gallegher	AGCO Corp.
Segal McCambridge	Joseph DeFazio	National Lighting
Sultzer Law Group	Joseph Lipari	Leviton; AIW
Tierney Law Office	Edward Henry	Beacon Electronics
Vasios Kelly	Scott Leaman	Bird
Wilbraham Lawler	Andrea Greco	Buffalo Pumps
Wilson Elser	Emily Weisslitz	Warren Pumps

IT IS on this 29th day of January 29, 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

- February 14, 2014 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- February 21, 2014 Defendants shall serve answers to standard interrogatories by this date.
- March 28, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- April 30, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- March 28, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.
- April 30, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- August 29, 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.
- September 30, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- October 17, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

October 24, 2014 Summary judgment motions shall be filed no later than this date.

November 21, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

April 15, 2014 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

March 28, 2014 Plaintiff shall serve medical expert reports by this date.

March 28, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

December 31, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

October 31, 2014 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.

December 31, 2014 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

October 31, 2014 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.

December 31, 2014 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

January 16, 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

January 7, 2015 @ 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. 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.

January 26, 2015

Trial Date.

Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One

/s/ Vincent Le Blon
VINCENT Le BLON, J.S.C.