

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

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

Civil Action

CASE MANAGEMENT ORDER III

GAIL ANDRU (Estate of Andrew Nelson),	
	<i>Plaintiff(s),</i>
vs.	
3M COMPANY, 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 *January 6, 2015*:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Bonner Kiernan	Minos Galanos	Occidental Chemical; Durez
Breuninger Fellman	Kathleen Ramalho	NAPA
Budd Larner	Terence Camp	Ericsson, Inc.
Caruso Smith	Lisa Massimi	Union Carbide; CertainTeed
Day Pitney	Amy Valentine McClellan	Phelps Dodge Ind.
Forman Perry	Nicole Diesa	Cooper Industries
Gibbons PC	Mark R. Galdieri	Selby Battersby; Honeywell
Hardin Kundla	Cynthia Lee	Calon
Harris Beach	Syed K. Rizvi	Progress Lighting; Hubbell Inc.; Hubbell Power Systems
Hoagland Longo	Carl Figueroa	SII; Exteco; Goulds Pumps; WW Grainger
Kelley Jasons	Angela Caliendo	Square D; Victaulic; Northern Pump; McNally
Lavin O'Neil	Edward Finch	RSCC Wire & Cable
Leader & Berkon	Lynelle Maginley-Liddie	IMO Industries; Spirax Sarco
Lynch Daskal	Alexander Broche	Georgia Pacific
Margolis Edelstein	Ryan Buchanan	Belden; Alpha Wire; John Crane; Columbia
Marks O'Neill	Sebastian Goldstein	Whirlpool Corp.
Marshall Dennehey	Paul Johnson	Warren Pumps
Mayfield Turner	Sara Saltsman	Carrier Corp.
McCarter & English	Jean Patterson	Hercules; Ashland, Inc.
McElroy Deutsch	Denise Harris	Sampson; Allen-Bradley; Eaton
McGivney Kluger	Caitlin Christie	Nash; Weil McLain; Simplex Wire & Cable; Taco; CCX; Gardner Denver; Flowserve; Treadwell; Graybar
O'Toole Fernandez	Michael Garcia	Peerless; Gould Electronics
Pascarella DiVita	Michael A. Posavetz	Trane; General Cable; Crane
Porzio Bromberg	Michelle Burke	DuPont
Reilly Janiczek	Shannon Kelly	Aurora; Cleaver Brooks; CR Daniels

Segal McCambridge	Joseph Gianetti	National Lighting
The Sultzzer Law Group	Joseph S. Jacobs	American Insulated Wire; Leviton
Tierney Law Office	Edward Henry	Beacon Electronics
Vasios Kelly	David W. Badie	Bird
Wilbraham Lawler	Elizabeth deBerardinis	Buffalo Pumps

IT IS on this 9<sup>th</sup> day of January, 2015 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**

March 31, 2015 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.

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

**EARLY SETTLEMENT**

February 11, 2015 The settlement conference previously scheduled on this date is **cancelled**.

April 30, 2015 The settlement conference previously scheduled on this date is **cancelled**.

April 10, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

May 8, 2015 @ 10:00am Early 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.

**SUMMARY JUDGMENT MOTION PRACTICE**

May 29, 2015 Summary judgment motions shall be filed no later than this date.

June 26, 2015 Last return date for summary judgment motions.

**MEDICAL DEFENSE**

July 31, 2015 Plaintiff shall serve additional medical expert report by this date.

August 31, 2015 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

July 31, 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.

August 31, 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**

July 31, 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.

August 31, 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**

September 18, 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**

September 16, 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.

October 5, 2015 Trial Date. *(The May 26, 2015 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  
Brody Deposition Services  
Priority One