

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

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

Civil Action

CASE MANAGEMENT ORDER VI

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 *November 18, 2015*:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Erica Cesaro	Plaintiff(s)
Breuninger Fellman	Raymond Chow	NAPA
Budd Lerner	Terence Camp	Ericsson, Inc.
Caruso Smith	Marcia DePolo	Union Carbide; CertainTeed
Darger Errante	Sandra Steinman	Lightolier
Day Pitney	Michael Fitzpatrick	Phelps Dodge Ind.
Forman Watkins	Nicole Diesa	Cooper Industries
Gibbons PC	Alan Gries	Selby Battersby; Honeywell
Hardin Kundla	Nicea D'Annunzio	Calon
Harris Beach	Allison Semaya	Progress Lighting; Hubbell Inc.; Hubbell Power Systems
Hoagland Longo	Jeffrey P. Smith	Exteco; Goulds Pumps; WW Grainger
Kelley Jasons	Angela Caliendo	Square D; Victaulic; Northern Pump; McNally
Leader & Berkon	Joseph Fontak	IMO Industries; Spirax Sarco
Margolis Edelstein	Justin M. Bettis	Belden; Alpha Wire; John Crane; Columbia
Marks O'Neill	Paul Smyth	Whirlpool Corp.
Marshall Dennehey	Paul Johnson Arthur Bromberg	Warren Pumps RSCC Wire & Cable; AIW; Leviton
Mattson Madden	John R. Leith	Okonite
Mayfield Turner	Adam Fogarty	Carrier Corp.
McCarter & English	Jean Patterson	Hercules; Ashland, Inc.
McElroy Deutsch	Andrew F. Bain	Samson; Allen-Bradley; Eaton; Burnham
McGivney Kluger	Joel Clark Caitlin Christie	Nash; Weil McLain; Simplex Wire & Cable; Taco; CCX; Gardner Denver; Flowserve; Treadwell; Graybar
Pascarella DiVita	Joshua Greeley	Trane; General Cable; Crane
Porzio Bromberg	Pamela Kaplan	DuPont
Reilly Janiczek	Michelle Cappuccio	Aurora; Cleaver Brooks; CR Daniels; Goulds Electronics
Salmon Ricchezza	John Dugan	AGCO Corp.
Segal McCambridge	Kevin Turbert	National Lighting
Tierney Law Office	Michael O'Neill	Beacon Electronics
Vasios Kelly	Thomas J. Kelly, Jr.	Bird
Wilbraham Lawler	Anisha Abraham	Buffalo Pumps; Siemens

IT IS on this 20th day of November, 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

February 19, 2016 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.

March 18, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

March 31, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

April 1, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 15, 2016 Summary judgment motions shall be filed no later than this date.

May 13, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

May 31, 2016 Plaintiff shall serve additional medical expert report by this date.

May 31, 2016 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

July 29, 2016 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

May 31, 2016 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.

July 29, 2016 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

May 31, 2016 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.

July 29, 2016 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

August 26, 2016 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

December 10, 2015 The settlement conference previously scheduled on this date is **cancelled**.

February 24, 2016 The settlement conference previously scheduled on this date is **cancelled**.

August 10, 2016 @ 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.

September 19, 2016 Trial Date. (*The April 25, 2016 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