

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

Docket No: L-4112-19 (AS)

Civil Action

CASE MANAGEMENT ORDER II

VINCENT & JANE ANSETTA,	<i>Plaintiff(s),</i>
vs.	
ALLERGAN USA INC., 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 March 5, 2020:

FIRM	ATTORNEY	CLIENT
Simmons Hanly	Olivia Kelly	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.
Caruso Smith	Alexandra Caruso	Metropolitan Life
Goldberg Segalla	Jillian Madison	Hyster Yale Group; Navistar; CNH Industrial America
Hardin Kundla	Nicea D'Annunzio	Deere & Co.
Harwood Lloyd	Andrew G. Toulas	Carlisle
K&L Gates	Gary Sapir	Ford Motor Co.
Kelley Jasons	Angela Caliendo	Square D
Landman Corsi	Thomas Patania	Johansen
Lavin Cedrone	Julianne Jayson	Mars Incorp.
Lavin Cedrone	Elizabeth Jones	Daimler Trucks; Oneida
Littleton Park	Jason Schmitz	BASF Corp.
Marin Goodman	Terence Camp	The Goodyear Tire & Rubber Co.
Marks O'Neill	Paul Smyth	Caterpillar Inc.
Marshall Dennehey	Paul Johnson	Riley Power; Terek
Marshall Dennehey	Arthur Bromberg	Marmon-Herrington
McCarter & English	Theresa A. Dill	Hercules
McElroy Deutsch	Charles Benjamin	Eaton Corp.; Rockwell Automation; Sprinkmann
McGivney Kluger	Thomas McNulty Pooja Patel	Cummins Inc.; Graybar; Wilson Trailer Co.; Binsky & Snyder; Standco Ind. Lufkin Ind.; Ameron Int'l.; Western Auto
Morgan Lewis	Amy Janssen	Merck Sharp Dohme Corp.
Norris McLaughlin	Eric Alvarez	Blue Bird Co.
Pascarella DiVita	Robert W. Slomicz	Trane US, Inc.; Crane Co.
Pepper Hamilton	Jeff Carr	Honeywell / Allied
Porzio Bromberg	Michelle Burke	EI DuPont de Nemours & Co.; AT&T Corp.; Nokia of America Corp.
Rawle & Henderson	Brian Lowenburg	Henkels & McCoy; Hennessy Ind.
Reilly McDevitt	Ryan Notarangelo	Cleaver Brooks; NL Industries; Mack Trucks
Tanenbaum Keale	Elizabeth Gee	Borg Warner
Troutman Sanders		Standard Motor Products Inc.
Vasios Kelly	Thomas J. Kelly, Jr.	Janssen

Wilbraham Lawler	Josette Spivak	PSE&G; Clark Equipment; Timpte; Utility Trailer; Kelsey-Hayes; CRA Trailers f/k/a Great Dane
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IT IS on this 6th day of March 2020, *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 plaintiff's 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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

DISCOVERY

- March 19, 2020 Defendants shall serve answers to standard interrogatories by this date.
- March 19, 2020 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- March 19, 2020 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- April 3, 2020 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 3, 2020 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- April 3, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

- May 15, 2020 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

- May 15, 2020 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.

SUMMARY JUDGMENT MOTION PRACTICE

March 13, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

March 27, 2020 Summary judgment motions shall be filed no later than this date.

April 24, 2020 Last return date for summary judgment motions.

EXPERT DEPOSITIONS

June 5, 2020 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

April 29, 2020 The settlement conference previously scheduled on this date is **cancelled**.

May 20, 2020 @ 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.

June 29, 2020 Trial Date.

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

/s/ James F. Hyland
JAMES F. HYLAND, J.S.C.

cc: Clerk, Mass Tort