

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

Docket No: **L-6928-15 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

DUANE ARETZ,	<i>Plaintiff(s),</i>
vs.	
HONEYWELL INTERNATIONAL, 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 *February 2, 2016*:

FIRM	ATTORNEY	CLIENT
Shivers Gosnay & Greatrex	Donald Gosnay	Plaintiff(s)
Caruso Smith	Marcia DePolo	CertainTeed
Eckert Seamans	Sarabeth Gaver	AO Smith
Gibbons PC	Robert Brown	Honeywell International
Hack Piro	Robert Alencewicz	HB Smith
Hoagland Longo	Steven F. Satz	Goulds Pumps; Kohler
Kent McBride	Ravi Shah	Alfa Laval
Lavin O'Neil	Catherine Brunermer	3M Company
McGivney Kluger	Marc J. Wisel	Weil McLain
McGowan Law Office	John S. McGowan	Sears
O'Toole Fernandez	Max Sverdlove	Peerless
Pascarella DiVita	Joshua Greeley	Trane US, Inc.; Rheem; Ingersoll Rand
Reilly Janiczek	Edward Henry	Cleaver Brooks
Sedgwick	Bridget Polloway	Borg Warner
Segal McCambridge	Theodore Eder	BW/IP Inc.
Speziali Greenwald	Joanne Hawkins	General Electric

IT IS on this 3rd day of **February, 2016**, *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.

DISCOVERY

March 18, 2016 Plaintiff shall serve answers to wrongful death interrogatories by this date.

February 29, 2016 Defendants shall serve answers to standard interrogatories by this date.

March 31, 2016 Plaintiff shall propound supplemental interrogatories and document requests by this date.

April 29, 2016 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

March 31, 2016 Defendants shall propound supplemental interrogatories and document requests by this date.

April 29, 2016 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

August 31, 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.

October 31, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

November 11, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

November 4, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 18, 2016 Summary judgment motions shall be filed no later than this date.

December 16, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

February 29, 2016 Defendants shall forward medical authorizations to plaintiff's counsel by this date.

March 31, 2016 Plaintiff shall serve executed medical authorizations by this date.

May 31, 2016 Plaintiff shall serve medical expert reports 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.

February 28, 2017 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

January 16, 2017 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.

February 28, 2017 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

- January 16, 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.
- February 28, 2017 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

- March 17, 2017 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

- February 22, 2017 @ 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.
- March 27, 2017 Trial 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