

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

Docket No: L-4394-14 (AS)

Civil Action

CASE MANAGEMENT ORDER III

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|---|
| WILLIAM & MERIKE BIERBRUNNER, <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 October 4, 2017:

| FIRM | ATTORNEY | CLIENT |
|-------------------------|---------------------|--|
| Cohen Placitella & Roth | Rachel Placitella | Plaintiff(s) |
| Breuninger & Fellman | Raymond Chow | Genuine Parts Co. |
| DeCotiis Fitzpatrick | Michael Moroney | Spirax Sarco |
| Hardin Kundla | Nicea D'Annunzio | Wallace Supply Co. |
| Harwood Lloyd | Victoria Silva | Carlisle Industrial Brake & Friction |
| LeClair Ryan | Gary M. Sapir | Ford |
| Marks O'Neill | Sebastian Goldstein | Superior Boiler Works |
| McCarter & English | Christopher Rojao | Fisher Controls International |
| McElroy Deutsch | Joseph D. Rasnek | Rockwell Automation |
| McGivney Kluger | Joel Clark | Weil McLain; JA Sexauer; DAP; ACE Hardware |
| O'Toole Fernandez | Gary Van Lieu | Dana |
| Pascarella DiVita | Joshua Greeley | Ingersoll Rand |
| Reilly Janiczek | Karen J. Conte | Aurora Pump; Cleaver Brooks |
| Speziali Greenwald | Joanne Hawkins | General Electric |
| Tanenbaum Keale | Afigo Fadahunsi | Borg Warner; Foster Wheeler |

IT IS on this 4th day of **October, 2017**, *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.

SUMMARY JUDGMENT MOTION PRACTICE

- October 20, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- November 3, 2017 Summary judgment motions shall be filed no later than this date.
- December 1, 2017 Last return date for summary judgment motions.

MEDICAL DEFENSE

March 30, 2018 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 19, 2018 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.

March 30, 2018 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.

EXPERT DEPOSITIONS

April 20, 2018 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

May 14, 2018 Trial Date. *(The October 23, 2017 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