

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

RONALD BRADLEY,

Plaintiff(s),

vs.

ADVANCE AUTO PARTS INC., et al

Defendant(s).

Docket No: **L-5159-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on June 13, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Napoli Bern	Kardon Stolzman	Plaintiff(s)
Breuninger Fellman	Susan Fellman	Genuine Parts; NAPA
Bucca & Campisano	Benjamin Bucca, Jr.	IMO
Budd Lerner	Terence Camp	Goodyear Tire & Rubber
Caruso Smith	Lisa Massimi	Union Carbide
Eckert Seamans	Tom Oaks	Ford
Forman Perry	Thomas M. Toman, Jr.	Ingersoll Rand
Gibbons PC	Robert D. Brown, Jr.	IMO
Kent McBride	David Rutkowski	Ferro
Lynch Daskal	Diane Pompei	Georgia Pacific
Margolis Edelstein	Ryan M. Kooi	Goodrich
Marshall Dennehey	Paul Johnson	Kaiser Gypsum
Rawle & Henderson	Dana Jelepiss	ABI
Salmon Ricchezza	John Dugan	Univeral Refractories
Smith Abbot	Roy Viola	Pneumo Abex
Stylades Jackson	Scott Krupa	Viking Pump
Wilbraham Lawler	Mary Chicorelli	Mannington Mills; Karnak; Advanced Auto Parts

IT IS on this 19th day of June, 2013 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 plaintiffs' 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

- July 5, 2013 Defendants shall serve answers to standard interrogatories by this date.
- July 19, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- August 16, 2013 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- July 19, 2013 Defendants shall propound supplemental interrogatories and document requests by this date.
- August 16, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- August 30, 2013 Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date.
- October 31, 2013 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.
- November 29, 2013 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- December 6, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- December 20, 2013 Summary judgment motions limited to product identification issues shall be filed no later than this date.
- January 17, 2014 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

- July 19, 2013 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.
- September 30, 2013 Plaintiff shall serve additional medical expert reports by this date.
- September 30, 2013 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- December 31, 2013 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

December 31, 2013 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.

January 31, 2014 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

December 31, 2013 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.

January 31, 2014 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

February 14, 2014 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 4, 2014 @ 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.

February 24, 2014 Trial Date.

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

/s/ Vincent Le Blon
VINCENT Le BLON, J.S.C.

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One