

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

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

Civil Action

CASE MANAGEMENT ORDER II

RONALD BRADLEY,
<i>Plaintiff(s),</i>
vs.
ADVANCE AUTO PARTS 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 January 8, 2014:

FIRM	ATTORNEY	CLIENT
Napoli Bern	Monica Habib Andrawis	Plaintiff(s)
Baginski Mezzenotte	Emily Ferrell	Viking Pump
Breuninger Fellman	Raymond Chou	Genuine Parts; NAPA
Bucca & Campisano	Benjamin Bucca Jr.	IMO
Budd Larner	Dan Feuerstein	Goodyear Tire & Rubber
Caruso Smith	Lisa Massimi	Union Carbide
Eckert Seamans	Michael Kinkopf	Ford
Gibbons PC	Ethan Stein	Honeywell
Hawkins Parnell	Roy Viola	Pneumo Abex
Kent McBride	Ravi Shah	Ferro
Lynch Daskal	Cynthia Cho	Georgia Pacific
Margolis Edelstein	Joni Tarchichi	Goodrich
Maron Marvel	Jennifer McGarrity	Foseco Inc.
Marshall Dennehey	Ashley Toth	Kaiser Gypsum
Pascarella DiVita	Madelyn Iulo	Ingersoll Rand
Rawle & Henderson	David Samlin	ABI
Salmon Ricchezza	John Dugan	Univeral Refractories
Sedgwick LLP	Maryam Meseha	CBS/Westinghouse
Wilbraham Lawler	Ashish Agrawal	Mannington Mills; Karnak; Advanced Auto Parts

IT IS on this 13th day of January, 2014 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

- January 31, 2014 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.
- February 28, 2014 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.
- February 28, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- February 4, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.
- March 7, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- March 28, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.
- April 25, 2014 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

- March 7, 2014 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.
- February 28, 2014 Plaintiff shall serve additional medical expert reports by this date.
- February 28, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- June 23, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

- May 23, 2014 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.
- June 23, 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

May 23, 2014 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.

June 23, 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

July 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

July 10, 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.

July 28, 2014 Trial Date. (*The February 24, 2014 trial is adjourned to this 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