

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

Docket No: **L-9783-09 (AS)**

<p>ESTATE OF KENNETH BUCK,</p> <p style="text-align: center;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>AJ FRIEDMAN SUPPLY CO., et al</p> <p style="text-align: center;"><i>Defendant(s).</i></p>
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Civil Action

CASE MANAGEMENT ORDER II

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 2, 2014:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon Kupilik	Plaintiff(s)
Baginski Mezzanotte	Jennifer Connelly	Sherman & Chaplin
Hack Piro	Christine McCarthy	HB Smith
Margolis Edelstein	Dawn Dezii	Woolsulate; Ideal; Central Jersey; Verona Supply
McGivney Kluger	Joel Clark	Sid Harvey Ind.; Madsen & Howell; J. Heller & Sons; Raritan Supply; Weil McLain; John W. Wallace; Flowserve; Elizabeth Plumbing & Heating
Tierney Law Office	Mark Turner	Elizabeth Industrial Supply; AJ Friedman Supply
Troutman Sanders	Joann Rogers	Mestek

IT IS on this 3rd day of April, 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

- May 2, 2014 Defendants Mestek and Westcost shall serve answers to supplemental interrogatories and document requests by this date.
- April 18, 2014 Defendants Mestek and Westcost shall propound supplemental interrogatories and document requests by this date.
- May 16, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

July 31, 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.

July 31, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

August 15, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

August 22, 2014 Summary judgment motions shall be filed no later than this date.

September 19, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

May 30, 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.

October 17, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

October 17, 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.

November 17, 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.

EXPERT DEPOSITIONS

December 5, 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

October 8, 2014 @ 10:00am

Telephone settlement conference. **Counsel shall contact the Special Master's Office the day before with the telephone number of the attorney handling the conference call.**

December 22, 2014

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
Brody Deposition Services
Priority One