

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

Docket No: L-900-14 (AS)

Civil Action

CASE MANAGEMENT ORDER XI

NANCY CAIRO,	<i>Plaintiff(s),</i>
vs.	
AMERICAN INTERNATIONAL IND., 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 June 14, 2017:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Moshe Maimon	Plaintiff(s)
Caruso Smith	Lisa Massimi	Union Carbide; CertainTeed
Hawkins Parnell	Roy Viola	American International Industries
Hoagland Longo	Marc Gaffrey James Goodloe	Whittaker Clark & Daniels (TP def.)
Lynch Daskal	David Freed	Georgia Pacific

IT IS on this 15th day of June, 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*.

DISCOVERY

- June 30, 2017 Third-party plaintiff shall provide all prior discovery to third-party defendant by this date.
- September 15, 2017 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.
- September 15, 2017 Depositions of corporate representative depositions shall be completed by this date.

EARLY SETTLEMENT

- September 22, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- September 29, 2017 Whittaker Clark & Daniels may file a motion for summary judgment no later than this date.
- October 27, 2017 Return date for summary judgment motion by Whittaker Clark & Daniels.

MEDICAL DEFENSE

September 22, 2017 Plaintiff shall serve medical expert reports by this date.

November 22, 2017 Defendants shall serve expert medical reports, if any, by this date.

LIABILITY EXPERT REPORTS

September 22, 2017 Plaintiff shall serve expert reports, if any, by this date.

November 22, 2017 Defendants shall serve liability expert reports, if any, by this date.

EXPERT DEPOSITIONS

December 15, 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

September 27, 2017 The settlement conference previously scheduled on this date is **cancelled**.

December 7, 2017 @ 10:00am 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.

January 22, 2018 Trial Date. *(The October 30, 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