

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

<p>JAMES &amp; LILLIAN COLLAS,</p> <p style="text-align: center;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>3M COMPANY, et al</p> <p style="text-align: center;"><i>Defendant(s).</i></p>
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Docket No: **L-7275-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on May 31, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Michael McMahon	Plaintiff(s)
Breuninger & Fellman	Kathleen Romalho	National Automotive Parts Assoc.
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide
Gibbons PC	Mark R. Galdieri	Honeywell International, Inc.
Goldfein & Joseph	Gary Every	ACL / Bell
Hoagland Longo	Kristy K. Lyons	Borg Warner
Lavin O'Neil	Catherine Brunermer	3M Co.
LeClair Ryan	Michael Goldklang	Ford Motor
Marks O'Neill	Mathew Wachstein	Caterpillar, Inc.
Marshall Dennehey	Jessica Wachstein	Pep Boys
O'Toole Fernandez	Leslie Lombardy	Dana Companies, LLC
Rawle & Henderson	Meredith Mack	Mack Trucks; Hennessy

IT IS on this 4<sup>th</sup> 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**

June 28, 2013

Defendants shall serve answers to standard interrogatories by this date.

July 31, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date.

August 30, 2013 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

July 31, 2013 Defendants shall propound supplemental interrogatories and document requests by this date.

August 30, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

November 29, 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.

December 31, 2013 Depositions of corporate representatives shall be completed by this date.

#### **EARLY SETTLEMENT**

January 10, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

#### **SUMMARY JUDGMENT MOTION PRACTICE**

January 3, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.

January 31, 2014 Last return date for product identification summary judgment motions.

#### **MEDICAL DEFENSE**

June 28, 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.

November 29, 2013 Plaintiff shall serve additional medical expert reports by this date.

November 29, 2013 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

January 31, 2014 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**

January 22, 2014 @ 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.

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: counsel:  
Eckert Seamans  
cc: Clerk, Mass Tort  
Brody Deposition Services  
Priority One