

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

Docket No: **L-4014-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER II

JAMES & GEORGIA CROWLEY,
<i>Plaintiff(s),</i>
vs.
AW CHESTERTON, 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 September 16, 2015:

FIRM	ATTORNEY	CLIENT
Keefe Bartels	Patrick Bartels	Plaintiff(s)
Baginski Mezzanotte	Patricia Lyons	HM Royal
Hardin Kundla	Nicea D'Annunzio	Calon Insulation
Margolis Edelstein	Justin M. Bettis	United Engery & Const.; Woolsulate
Marks O'Neill	Sebastian Goldstein	JCP&L
Marshall Dennehey	Paul Johnson	Riley Power
McElroy Deutsch	Michelle Hydrusko	Chevron USA; ExxonMobil
McGivney Kluger	Thomas McNulty	Madsen & Howell
Pascarella DiVita	Brad Bishop	Ingersoll Rand
Reilly Janiczek	Maura Murphy	Cleaver Brooks
Sedgwick	Bridget Polloway	Foster Wheeler
Wilson Elser	Joseph Hanlon	Hess Corp.

IT IS on this 21st day of **September, 2015**, *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

- November 30, 2015 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.
- December 31, 2015 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, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 30, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

December 16, 2015 @ 10:00am Early 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.

SUMMARY JUDGMENT MOTION PRACTICE

January 8, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

January 22, 2016 Summary judgment motions shall be filed no later than this date.

February 19, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

October 2, 2015 Defendants shall forward medical authorizations to plaintiff's counsel by this date.

October 16, 2015 Plaintiff shall serve executed medical authorizations by this date.

January 29, 2016 Plaintiff shall serve medical expert reports by this date.

January 29, 2016 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

March 25, 2016 Defendants shall identify its medical experts and serve medical reports, if any, by this date. **In addition, defendants shall notify plaintiff's counsel (as well as all counsel of record) of a joinder in an expert medical defense by this date.**

LIABILITY EXPERT REPORTS

March 18, 2016 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.

April 22, 2016 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

May 13, 2016 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 25, 2016

The settlement conference previously scheduled on this date is **cancelled**.

April 21, 2016 @ 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.

May 31, 2016 (*Tuesday*)

Trial Date. (*The March 14, 2016 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