

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

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

**Civil Action**

**CASE MANAGEMENT ORDER VI**

JAMES & GEORGIA CROWLEY, <i>Plaintiff(s),</i>
vs.
AW CHESTERTON CO., 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 13, 2018:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Eckert Seamans	Ezra Alter	JCP&L
Garrity Graham	Anthony Marino	United Conveyor Corp.
Hardin Kundla	Cynthia Lee	Calon Insulation
Margolis Edelstein	Jeanine D. Clark	Woolsulate; United Energy & Construction
Marshall Dennehey	Paul Johnson	Riley Power
McElroy Deutsch	Joseph D. Rasnek	Chevron; ExxonMobil; Texaco
McGivney Kluger	Thomas McNulty	HM Royal
McGivney Kluger	Pooja Patel	Madsen & Howell
O'Toole Scrivo	Dennise E. Mejia	E&B Mill Supply
Pascarella DiVita	John S. McGowan	Ingersoll Rand
Reilly McDevitt	Zachary Green	Cleaver Brooks
Tanenbaum Keale	James Keale	Foster Wheeler
Wilson Elser	Joseph Hanlon	Hess Corp.

IT IS on this 17<sup>th</sup> day of September, 2018, 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**

- December 7, 2018 Plaintiff shall serve amended answers to standard interrogatories by this date.
- December 21, 2018 Defendants shall serve answers to standard interrogatories by this date.
- January 14, 2019 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- February 28, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

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- February 28, 2019 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- May 31, 2019 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.
- May 31, 2019 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- October 11, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- August 16, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- August 30, 2019 Summary judgment motions shall be filed no later than this date.
- September 27, 2019 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- December 7, 2018 Plaintiff shall serve executed medical authorizations by this date.
- July 31, 2019 Plaintiff shall serve medical expert reports by this date.
- November 15, 2019 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**

- July 31, 2019 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 15, 2019 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 13, 2019 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**

April 11, 2019                      The settlement conference previously scheduled on this date is **cancelled**.

December 3, 2019 @ 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.

December 30, 2019                      Trial Date. (*The May 20, 2019 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

VACATED