

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

Docket No: **L-5111-13(AS)**

Civil Action

CASE MANAGEMENT ORDER I

<p>DELIMIRO & LUZ PEREZ,</p> <p style="text-align: right;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>AMPACET CORP., et al</p> <p style="text-align: right;"><i>Defendant(s).</i></p>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on December 5, 2013:

FIRM	ATTORNEY	CLIENT
Lanier Law Firm	Darron Berquist	Plaintiff(s) Counsel <i>(co-counsel with Wilentz Goldman & Spitzer)</i>
Connell Foley	Timothy Corrison	Momentive Speciality Chemicals
Darger Errante	Sandra Steinman	Ampacet Corp.
Dickie McCamey	Thomas E.O'Donnell	Continental Tire The Americans
Hawkins Parnell	Edward Abbot	Celanese; Reichhold
Kelley Jasons	Angela Caliendo	FMC Corp.; Gencorp
Lavin O'Neil	Carolyn McCormack	IBM
LeClair Ryan	Michael Goldklang	Ford
Littleton Joyce	Robert Kelly	Ren / BASF
Margolis Edelstein	Joni Tarchichi	Chevron Phillips Chemical
Marshall Dennehey	Christopher Blok	Farrell Corp.
McElroy Deutsch	Joseph D. Rasnek	Wallace & Tiernan USA Inc.
McGivney Kluger	Joel Clark	Rogers Corp.; Simplomatic Mfg.; Package Machinery; Park Electrochemical
O'Toole Fernandez	Gary Van Lieu	GEI
Porzio Bromberg	Michele Burke	DuPont; Cytec Engineering Materials; Wyeth Holdings; Eastman Chemical
Sedgwick LLP	Bridget Polloway	General Electric; CBS; US Steel
White & Williams	Kathy O'Neill	Pharmacia
Wilbraham Lawler	Andrea Greco	Plastics Engineering

IT IS on this 6th day of **December, 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

- January 10, 2014 Defendants shall serve answers to standard interrogatories by this date.
- January 17, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- February 14, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- January 17, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.
- February 14, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- March 21, 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.
- March 21, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- March 21, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- March 28, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.
- April 25, 2014 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

- December 31, 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.
- May 19, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

- April 18, 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.
- May 19, 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.
- June 20, 2014 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

- April 18, 2014 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.
- May 19, 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

- June 30, 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

- June 25, 2014 @ 9:30am 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.
- July 21, 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: Clerk, Mass Tort
 Brody Deposition Services
 Priority One