

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

Docket No: **L-603-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER II

DEWEY STRAUSS,
<i>Plaintiff(s),</i>
vs.
AJ FRIEDMAN SUPPLY CO., INC., 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 May 26, 2015:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Vincent Cheng	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	GPC: NAPA
Bucca & Campisano	Benjamin Bucca Jr.	IMO
Budd Larner	David Novack	NACCO Materials Handling Group; TVH Parts Co.
Carroll McNulty	Michael A. Moroney	Spriax Sarco
Duane Morris	Dawnn E. Briddell	The Raymond Corp.
Gibbons PC	Ethan Stein	Honeywell International Inc.
Goldberg Segalla	Leah Brndar	Unicarrier
Hoagland Longo	Andrew Kessler	AGL Welding; Standard Magneto Sales Co., Inc.
Landman Corsi	Joseph Tomaino	AJ Jersey
Langsam Stevens	Jeannie Lee	Zy-Tech
LeClair Ryan	Brian P. Matthews	Ford
Margolis Edelstein	Dawn Dezii	Central Jersey Supply; Woolsulate
Marks O'Neill	Paul Smyth	Caterpillar; Midland Ross; Performance Ind.
McGivney Kluger	Thomas McNulty	Fairbanks
O'Toole Fernandez	Jacqueline Muttick	Barclay Brand Corp.
Salmon Ricchezza	John Dugan	Material Handling Supply
Sedgwick LLP	Bridget Polloway	Toyota; Borg Warner
Segal McCambridge	Stephanie DeVos	Clark Equipment
Swartz Campbell		Crown Equipment
Tierney Law Office	Michael O'Neill	Elizabeth Industrial; AJ Friedman Supply; Major Inc.

IT IS on this 27th day of May, 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

June 12, 2015

Defendants shall serve answers to standard interrogatories by this date.

June 26, 2015 Plaintiff shall propound supplemental interrogatories and document requests by this date.

July 31, 2015 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

June 26, 2015 Defendants shall propound supplemental interrogatories and document requests by this date.

July 31, 2015 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

September 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.

October 30, 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

January 8, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

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

December 31, 2015 Plaintiff shall serve medical expert reports by this date.

February 29, 2016 The defense medical examination of plaintiff(s) shall be completed by this date.

March 31, 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.

ECONOMIST EXPERT REPORTS

- March 18, 2016 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.
- April 22, 2016 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

- 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

- May 5, 2016 @ 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.
- May 31, 2016 (*Tuesday*) Trial 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
 Brody Deposition Services
 Priority One