

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

Docket No: L-1991-13 (AS)

Civil Action

CASE MANAGEMENT ORDER I

DENNIS DENGEL,	<i>Plaintiff(s),</i>
vs.	
A&M WHOLESALE HARDWARE 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 May 22, 2018:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon G. Kupilik	Plaintiff(s)
Barrett Lazar	Deborah Megarr	A&M Wholesale Hardware
Connell Foley	Scott Press	Lawton & Burns; Superior Welding Supply
Day Pitney	Michael L. Fialkoff	International Paper Co.
Hoagland Longo	Jillian Madison	Community Plumbing Supply; Essex Plumbing; Industrial Welding Supply; Westfield Plumbing & Heating
Landman Corsi	Colin Be	Tremco Inc.
Langsam Stevens	Kelsey Knish	Zy-Tech Global Ind.
Leader & Berkon	Christine Bucca	IMO Industries
Lewis Brisbois	Steven T. Corbin	Henkel Corp.
Margolis Edelstein	Dawn Dezii	Woolsulate; Welco Gases; Industrial Rubber
McElroy Deutsch	Donna duBeth Gardiner	Pfizer, Inc.
McGivney Kluger	Thomas McNulty Joel Clark	Faribanks; DAP; Builders General; Guardian/Protech Safety Equipment; Raritan; Binsky & Snyder; Allied Rubber & Gasket
Methfessel & Werbel	Steven Unterburger	Ironbound Supply Co.
Nowell, PA	Jack Zapotoczny	United Supply Co. (USCO, Inc.)
O'Toole Scrivo	Gary Van Lieu	JW Goodliffe; WA Birdsall
Potters Della Pietra	Michele DeLuca	National Plumbing Supply
Rawle & Henderson	Sebastian Goldstein	Van Houten –Avenel
Reilly McDevitt	Joshua Sonstein	AJ Friedman
Styliades Mezzanotte	Daniel Maher, Jr.	Sherman & Chaplin

IT IS on this 4th day of **June, 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.

Defense counsel shall notify plaintiff's 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 1, 2018 Defendants shall serve answers to standard interrogatories by this date.

EARLY SETTLEMENT

August 3, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

September 12, 2018 @ 9:30am 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

June 8, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

June 22, 2018 Summary judgment motions shall be filed no later than this date.

July 20, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

October 31, 2018 Plaintiff shall serve an updated medical expert report by this date.

December 31, 2018 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

October 31, 2018 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.

December 31, 2018 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

January 31, 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

February 12, 2019 @ 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.

March 4, 2019 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: Counsel:

Busch Law Firm *for Industrial Valve SLS & SVC*

DeCotiis Fitzpatrick *for Spirax Sarco*

Marks O'Neill *for Roselle Plumbing & Heating*

cc: Clerk, Mass Tort