

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

Docket No: **L-7555-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER II

<p>ELENA &amp; CECILIO DIAZ,</p> <p style="text-align: center;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>BRENNTAG NORTH AMERICA, et al</p> <p style="text-align: center;"><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 April 10, 2014:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Leah Kagan	Plaintiff(s)
Caruso Smith	Lisa Massimi	Union Carbide
Connell Foley	Meghan Musso	Circuit Breaker Sales
Goldberg Segalla	Chris Midura	Shulton; Proctor & Gamble Co.
Hoagland Longo	Nora Grimberen	Whittaker Clark & Daniels
Kelly Jasons	Joseph Vassalotti	Square D
McElroy Deutsch	Brian Sorensen	Eaton
Porzio Bromberg	Diane Averell	Wyeth Holdings
Reilly Janiczek	Edward King	Federal Pacific Equipment
Quinn Emanuel	Christine Chuna Jacob Fischer	Colgate Palmolive
Segal McCambridge	Ted Eder	Colgate Palmolive
Speziali Greenwald	Joanne Hawkins	General Electric; CBS/Westinghouse

IT IS on this 14<sup>th</sup> day of **April, 2014** 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**

July 31, 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.

July 31, 2014            Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- June 10, 2014            The settlement conference previously scheduled on this date is **CANCELLED**.
- August 8, 2014           Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- November 21, 2014      Summary judgment motions shall be filed no later than this date.
- December 19, 2014      Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- April 17, 2014           Plaintiff shall provide records obtained from University Hospital, in plaintiff's possession, to all counsel by this date.
- September 30, 2014      Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

- August 29, 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.
- September 30, 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.

### **ECONOMIST EXPERT REPORTS**

- August 29, 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.
- September 30, 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**

- October 31, 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**

September 9, 2014 @ 1:30pm

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.

January 6, 2015 @ 1:30pm

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.

January 26, 2015

Trial Date. (*The June 30, 2014 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  
Brody Deposition Services  
Priority One