

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

ROBERT & JOAN DUDASH, <i>Plaintiff(s),</i> vs. 3M COMPANY, et al <i>Defendant(s).</i>

Docket No: **L-1951-14 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on March 31, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Michael McMahon	Plaintiff(s)
Caruso Smith	Lisa Massimi	Union Carbide; CertainTeed
Day Pitney	Sylvia-Rebecca Gutierrez	International Paper Co.
Lavin O'Neil	Catherine Breunermer	3M Co.
McElroy Deutsch	Joseph D. Rasnek	Chevron USA, Inc.
McGivney Kluger	Caitlin Christie	Hollingsworth & Vose

IT IS on this 1st day of April, 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.

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

- | | |
|----------------|--|
| April 17, 2015 | Defendants shall serve answers to standard interrogatories by this date. |
| May 1, 2015 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| June 1, 2015 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| May 1, 2015 | Defendants shall propound supplemental interrogatories and document requests by this date. |

- June 1, 2015 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- September 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.
- October 30, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- November 13, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- November 20, 2015 Summary judgment motions shall be filed no later than this date.
- December 18, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

- October 30, 2015 Plaintiff shall serve medical expert reports by this date.
- October 30, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- January 29, 2016 Defendants shall identify its medical experts and serve medical expert 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

- November 13, 2015 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.
- January 29, 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

- December 4, 2015 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.
- January 29, 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

February 19, 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

February 18, 2016 @ 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.

March 7, 2016 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