

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

Docket No: **L-3751-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER VIII

NORMA DWYER (Estate of JOHN DWYER), vs. 3M COMPANY, INC., et al	<i>Plaintiff(s),</i> <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on September 24, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Christopher Placitella	Plaintiff(s)
Bucca & Campisano	Benjamin Bucca, Jr.	IMO
Caruso Smith	Joyce Min	CertainTeed
Condon & Forsyth	Erika Maurice	Resco Holdings
Connell Foley	Scott Press	Public Service
Darcambal Ousley	Katherine Mastrobuoni	Kraft/Mondelez
Drinker Biddle	Jack N. Frost, Jr.	American Optical
Hoagland Longo	Jeffrey P. Smith	Goulds Pumps
Kent McBride	Ravi Shah	Alfa Laval
Landman Corsi	Jorkeell Echeverria	Anheuser Busch; Sequoia Ventures Inc.
Lavin O'Neil	Krina Murski	Verizon New Jersey
Littleton Joyce	Christine Emery	BASF Catalysts
Marin Goodman	Fred Goodman	Fluor
Marks O'Neill	Matthew A. Wachstein	JCP&L
McElroy Deutsch	Michelle Hydrusko	Exxon Mobil; Chevron
McGivney Kluger	Joel Clark	JW Wallace
Porzio Bromberg	Pamela Kaplan	DuPont
Reilly Janiczek	Maura Murphy	Cleaver Brooks
Spezialli Greenwald	Joanne Hawkins	General Electric; CBS; Foster Wheeler
Weiner Lesniak	Edward Seaver	Merck
Wilson Elser	Joseph Hanlon	Shell Oil Co.

IT IS on this 28th day of September, 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

- October 15, 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 1, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- December 1, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- December 18, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- January 8, 2016 Summary judgment motions shall be filed no later than this date.
- February 5, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

- 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

- January 15, 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.
- March 4, 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.
- March 31, 2016 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

- January 15, 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.
- March 4, 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

April 15, 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 3, 2016 The settlement conference previously scheduled on this date is **cancelled**.

April 8, 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.

May 2, 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