

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

ALBERT & BARBARA ENTWISTLE, <i>Plaintiff(s),</i>
vs.
3M COMPANY, et al <i>Defendant(s).</i>

Docket No: **L-22-14 (AS)**

Civil Action

CASE MANAGEMENT ORDER V

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on June 30, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	William L. Kuzmin	Plaintiff(s)
Bucca & Campisano	Benjamin Bucca, Jr.	IMO Industries
Connell Foley	Scott Press	PSE&G
Gibbons	Mark R. Galdieri	Hoffmann-LaRoche, Inc.
Harwood Lloyd	Victoria Silva	Schiavone-Bonomo Corp.
Kent McBride	Robert Florke	Alfa Laval
Landman Corsi	Charles Mondora	Sequoia Ventres; Annheuser Busch, Inc.
Lavin O'Neil	Julianne Jayson	3M Co.; Mars, Inc.
Littleton Joyce	Christine Emery	BASF
Marks O'Neill	Sebastian Goldstein	GPU Energy, f/k/a JCP&L
McCarter & English	John Garde	Owens Illinois
McElroy Deutsch	Joseph D. Rasnek	Chevron; Benjamin Moore; Exxon; Pabst
McGivney Kluger	Joel Clark	John Wallace; Resco Holdings
Morgan Lewis	Christopher Iannicelli	Santa Fe Braun; Grinnell; ITT Corp.
Pascarella DiVita	Stephanie DiVita	Crane
Porzio Bromberg	Pamela Kaplan	DuPont
Reilly Janiczek	Matthew Franson	Cleaver Brooks
Ricci Tyrrell	Brian Scanlon	Chicago Bridge & Iron
Sedgwick	Bridget Polloway	CBS; General Electric; Foster Wheeler

IT IS on this 1st day of July, 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

August 31, 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.

November 30, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

December 11, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

December 24, 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

August 31, 2015 Plaintiff shall serve a wrongful death report, if any, by this date.

March 11, 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

January 4, 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 11, 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

January 4, 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 11, 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

March 31, 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

October 14, 2015 The settlement conference previously scheduled on this date is **cancelled**.

March 31, 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.

April 18, 2016 Trial Date. (*The November 9, 2015 trial is adjourned 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: counsel:

Caruso Smith Picini *for Union Carbide; CertainTeed*

Drinker Biddle *for American Optical*

Marin Goodman *for Fluor Corp.*

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One