

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

Docket No: **L-878-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

CONNIE FOLAND (Estate of HARRY FOLAND), <i>Plaintiff(s)</i> , vs. AJ FRIEDMAN SUPPLY CO., INC., et al <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 April 25, 2016:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon Kupilik	Plaintiff(s)
Bucca & Campisano	Christine Bucca	IMO
Carroll McNulty Krull	Michael Moroney	Spirax Sarco
Langsam Stevens	Robert Stickley	Zy-Tech
Littleton Joyce	Jason Schmitz	BASF
Margolis Edelstein	Justin M. Bettis	Woolsulate; Central Jersey
McGivney Kluger	Thomas McNulty	Fairbanks
Pascarella DiVita	Bradley Bishop	Ingersoll Rand
Tierney Law Offices	Michael O'Neill	AJ Friedman Supply; Elizabeth Industrial; Major Inc.

IT IS on this 26th day of April, 2016, 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

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|-----------------|---|
| May 20, 2016 | Defendants shall propound supplemental interrogatories and document requests by this date. |
| June 20, 2016 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date. |
| August 19, 2016 | 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. |

EARLY SETTLEMENT

- May 9, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.
- June 16, 2016 @ 10:00am 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

- September 2, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- September 16, 2016 Summary judgment motions shall be filed no later than this date.
- October 14, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

- January 13, 2017 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

- November 30, 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.
- January 13, 2017 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

- November 30, 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.
- January 13, 2017 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

- January 31, 2017 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 1, 2017 @ 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.

February 27, 2017

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