

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

Docket No: **L-5207-15 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

ALBERT WILLIAM PETER FRASCELLA, <i>Plaintiff(s),</i>
vs.
3M COMPANY, et al <i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on *February 1, 2016*:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Erica Cesaro	Plaintiff(s)
Caruso Smith	Marcia DePolo	Union Carbide
Connell Foley	Neghan Musso	Circuit Breaker Sales
Darger Errante	Mark Friesz	Lightolier
Forman Watkins	Thomas M. Toman, Jr.	Cooper Industries
Gibbons	Mark R. Galdieri	Honeywell International
Harris Beach	Syed R. Rizui	Progress Lighting; Prescolite; Hubbell Power Systems
Hoagland Longo	Steven F. Satz	Goulds Pumps
Kelley Jasons	Robert T. Connor	Victaulic; Schneider
Locke Lord	Christopher Fontenelli	Alcatel-Lucent; Lucent Technologies; AT&T
Lynch Daskal	Andrew Mundo	Georgia Pacific
Margolis Edelstein	Justin M. Bettis	Belden
Maron Marvel	Carolyn Williams	Sinnkar Corp.
Marshall Dennehey	Paul Johnson	Kaiser Gypsum; Leviton
McElroy Deutsch	Jack McGuire	Eaton; Rockwell
McGivney Kluger	Thomas McNulty	Graybar
Pepper Hamilton	Nicholas Kouletsis	Bristol Myers Squibb
Rawle & Henderson	Susan Riechelson	Henkels & McCoy (<i>discovery only</i>)
Reilly Janiczek	Catherine Kiernan	Federal Pacific Equipment; Gould Electronics
Segal McCambridge	Stephanie DeVos	Cooper Electric
Speziali Greenwald	Joanne Hawkins	General Electric; US Steel; CBS
Wilbraham Lawler	Tristin Fabro	PSEG Power; Siemens

IT IS on this 2nd day of **February, 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

- February 15, 2016 Defendants shall serve answers to standard interrogatories by this date.
- February 29, 2016 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- March 31, 2016 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- February 29, 2016 Defendants shall propound supplemental interrogatories and document requests by this date.
- March 31, 2016 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- June 30, 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.
- June 30, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- July 1, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- June 30, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- July 8, 2016 Summary judgment motions shall be filed no later than this date.
- August 5, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

- August 31, 2016 Plaintiff shall serve medical expert reports by this date.
- October 28, 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

- August 31, 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.
- October 14, 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.

EXPERT DEPOSITIONS

November 18, 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

November 17, 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.

10 business days prior to trial Pretrial Information Exchange Form due.

December 5, 2016 **Trial-Ready** 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