

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

**Docket No:** L-1079-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER II**

ESTATE of ESTELLE GALLUS, <i>Plaintiff(s),</i>
vs.
AJ FRIEDMAN SUPPLY CO., INC., 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 December 5, 2017:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Wilentz Goldman & Spitzer	Vincent Cheng	Plaintiff(s)
Connell Foley	Scott Press	August Arace
DeCotiis Fitzpatrick	Michael Moroney	Spirax Sarco, Inc.
Hack Piro	Robert Alencewicz	Johansen
Langsam Stevens	David McHale	Zy-Tech
Lynch Daskal	Daniel Gagliardi	Gerard Packing
Margolis Edelstein	Jeffrey Hall-Gale	Woolsulate
Marks O'Neill	Michael V. Shujak	Nicholas Schwalje
McGivney Kluger	Joel Clark	Raritan Supply; Elling Brothers; J. Wallace
McGivney Kluger	Thomas McNulty	Duriron; Fairbanks
Porzio Bromberg	Tanyha Y. Shah	Cytec Industries, Inc.
Reilly Janiczek	Brandy Harris	AJ Friedman
Tierney Law Office	Michael Murphy	Major Inc.
Vasios Kelley	Brooke Anderson	Johnson & Johnson

IT IS on this 6<sup>th</sup> day of **December, 2017**, *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**

- January 19, 2018 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- January 19, 2018 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- February 16, 2018 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.

March 30, 2018 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

April 13, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

April 13, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 27, 2018 Summary judgment motions shall be filed no later than this date.

May 25, 2018 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

June 29, 2018 Plaintiff shall serve medical expert reports by this date.

June 29, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

August 31, 2018 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**

June 29, 2018 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.

August 31, 2018 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**

September 21, 2018 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**

January 10, 2018 The settlement conference previously scheduled on this date is **cancelled**.

September 19, 2018 @ 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.

October 22, 2018

Trial Date. (*The February 12, 2018 trial is adjourned to 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: Clerk, Mass Tort