

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

Docket No: **L-2374-15 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

ESTATE of MICHAEL GILL, <i>Plaintiff(s),</i> vs. ADVANCED THERMAL HYDRONICS 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 March 1, 2016:

FIRM	ATTORNEY	CLIENT
Maune Raichle	Nathaniel Falda	Plaintiff(s) co-counsel with <i>Szaferman Lakind / Levy Konigsberg</i>
Caruso Smith Picini	Richard Picini	CertainTeed; Union Carbide
McElroy Deutsch	Andrew Bain	Burnham LLC
McGivney Kluger	Thomas McNulty	Weil McLain
Marks O'Neill	Paul Smyth	Atlantic Plumbing
Hack Piro	Robert Alencewicz	HB Smith
O'Toole Fernandez	Gary Van Lieu	Peerless Industries, Inc.
Nowell Amoroso	Linda Dunne	United Supply as successor to Aptex

IT IS on this 2nd day of March, 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.

DISCOVERY

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| May 6, 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. |
| May 6, 2016 | Depositions of corporate representatives shall be completed by this date. |
| June 3, 2016 | Plaintiff shall serve answers to wrongful death interrogatories by this date. |

EARLY SETTLEMENT

May 20, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

May 27, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

June 10, 2016 Summary judgment motions shall be filed no later than this date.

July 8, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

April 15, 2016 Plaintiff shall serve medical expert reports by this date.

August 19, 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

June 10, 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.

August 19, 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

June 10, 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.

August 19, 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

September 9, 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

June 17, 2016

The settlement conference previously scheduled on this date is **cancelled**.

August 25, 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.

September 26, 2016

Trial Date. (*The July 18, 2016 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