

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

Docket No: **L-2641-14 (AS)**

Civil Action

CASE MANAGEMENT ORDER II

HAROLD BROWN,	
	<i>Plaintiff(s),</i>
vs.	
CATERPILLAR, 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 17, 2014:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Leah Kagan	Plaintiff(s)
Caruso Smith Picini	Marcia DePolo	Union Carbide
Goldberg Segalla	Lockwood Miller	McCord Corp.
Hardin Kundla	Nicea D'Annunzio	Deere & Co.
Hawkins Parnell	Roy Viola	Abex
Hoagland Longo	Jason R. Gosnell	Thul Auto Parts
Landman Corsi	Christopher Kozak	Federal Mogul Asbestos Personal Injury Trust (Fel-Pro)
LeClair Ryan	Robyn Kalocsay	Ford
Marks O'Neill	Paul Smyth	Caterpillar
O'Toole Fernandez	Leslie Lombardy	Dana Co.
Pascarella DiVita	Madelyn Iulo	Ingersoll Rand
Rawle & Henderson	Meredith Mack	Mack Trucks, Inc.
Segal McCambridge	Stephanie DeVos	Paccar Inc.
Wilbraham Lawler	Andrea Sasso Greco	Cummins

IT IS on this 17th day of **December, 2014** 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.

SUMMARY JUDGMENT MOTION PRACTICE

January 9, 2015 Summary judgment motions shall be filed no later than this date.

February 6, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

February 13, 2015 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

February 13, 2015 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

February 27, 2015 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 29, 2015 @ 1:30pm 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. *(The January 21, 2015 settlement conference is adjourned to this date.)*

March 11, 2015 @ 1:30pm 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 days before trial Pretrial Information Exchange (and deadline for filing *in limine* motions.)

March 30, 2015 Trial-Ready Date. *(The February 23, 2015 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
Brody Deposition Services
Priority One